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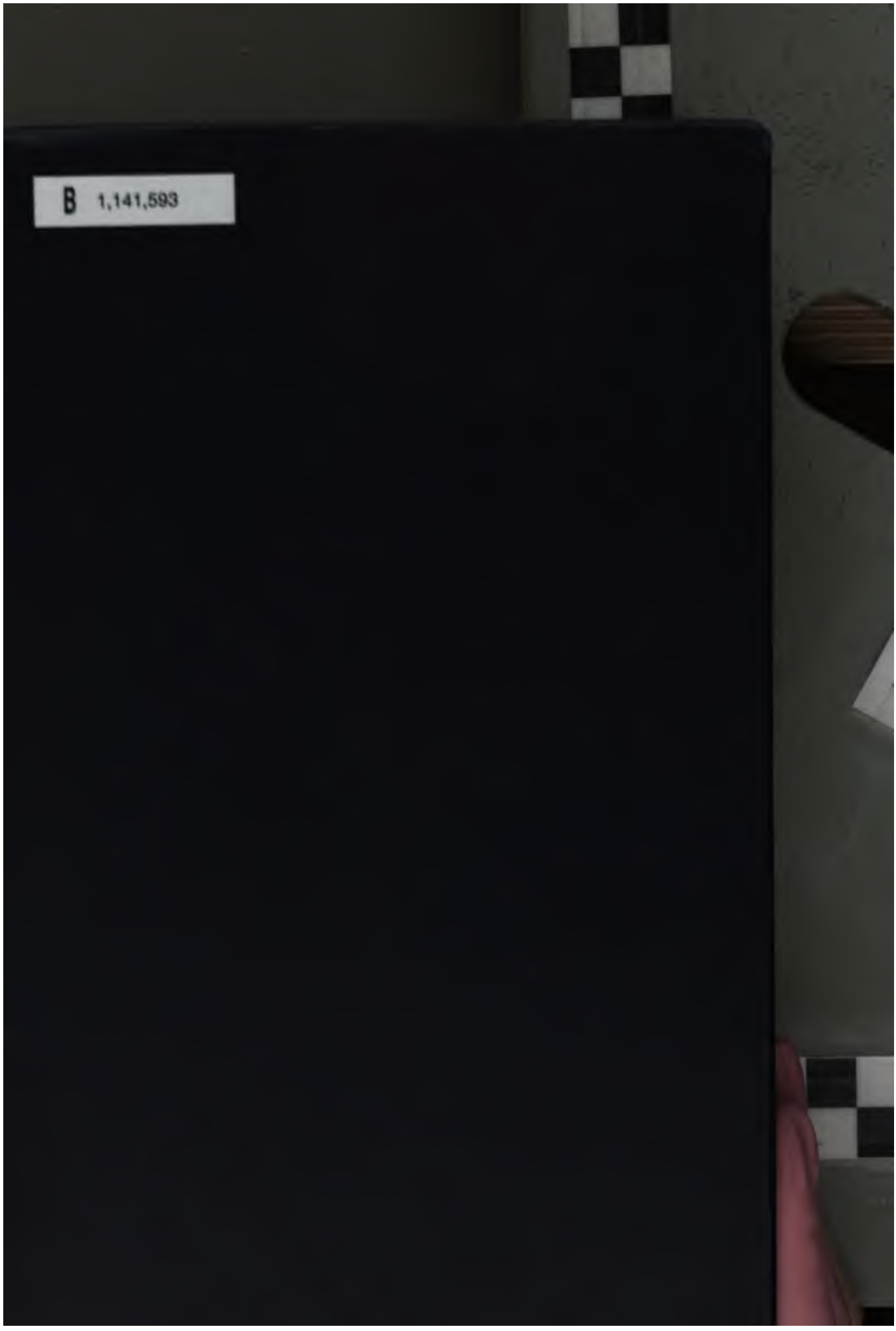
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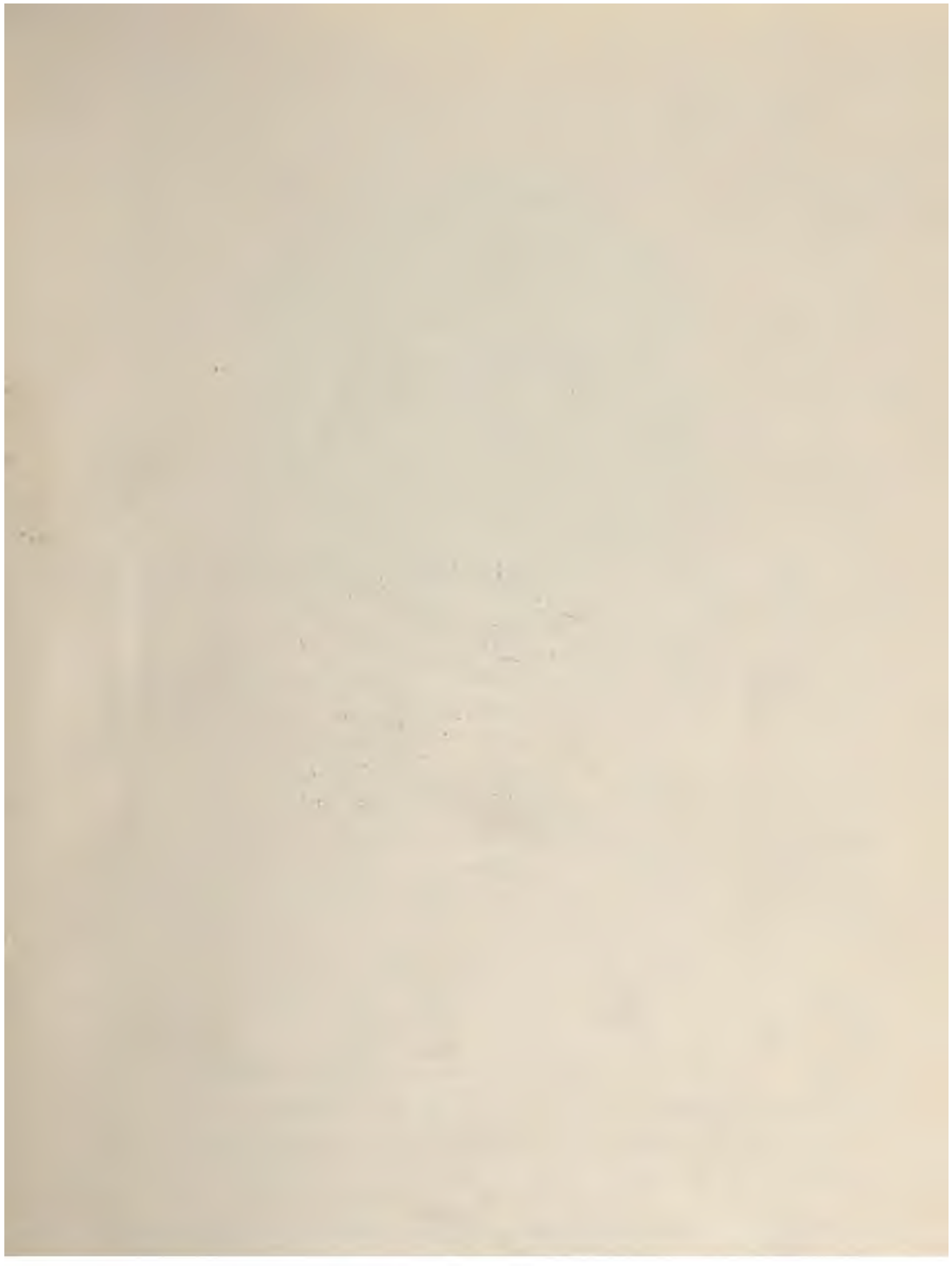

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The Master of the Rolls desires to call the attention of the Editors of Calendars to the following considerations, with a view to secure uniformity of plan in the important works on which they are engaged:—

He is anxious to extend, as far as is consistent with proper economy and despatch, the utility of the Calendars of State Papers now publishing under his control: 1st. As the most efficient means of making the national archives accessible to all who are interested in historical inquiries; 2nd. As the best justification of the liberality and munificence of the Government in throwing open these papers to the public, and providing proper catalogues of their contents at the national expense.

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2nd. Letters and documents referring to one subject only should be catalogued as briefly as is consistent with correctness. But when they contain miscellaneous news, such a description should be given as will enable a reader to form an adequate notion of the variety of their contents.

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CALENDAR

OF

STATE PAPERS,

COLONIAL SERIES,

AMERICA AND WEST INDIES,

1677—1680.

CALENDAR

OF

STATE PAPERS,

COLONIAL SERIES, 1675-83

AMERICA AND WEST INDIES,

1677—1680,

PRESERVED IN THE

PUBLIC RECORD OFFICE.

EDITED BY

THE LATE W. NOEL SAINSBURY,

AND

THE HON. J. W. FORTESCUE,

UNDER THE DIRECTION OF THE MASTER OF THE ROLLS, AND WITH THE SANCTION OF HER MAJESTY'S SECRETARY OF STATE FOR THE COLONIAL DEPARTMENT.

LONDON:
PRINTED FOR HER MAJESTY'S STATIONERY OFFICE,
BY EYRE AND SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, EAST HARDING STREET, FLEET STREET, E.C.; or
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HODGES, FIGGIS, & Co., LIMITED, 104, GRAFTON STREET, DUBLIN.

1896.

LONDON: Printed by EYRE and SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty.
For Her Majesty's Stationery Office.

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PREFACE.

THE present volume suffers from the misfortune of having changed Editors when it was but half complete. Mr. Noel Sainsbury, under whose care and industry the previous volumes of this Series had been produced, died early in the spring of 1895, leaving, indeed, a portion of the Calendar ready to his successor's hand, but unable to leave him the special knowledge and experience which he had gained by long progressive study of the Colonial Records, and had turned to such excellent account in his edition of the same. It will, I cannot doubt, be all too easy to the reader to hit the point at which his hand was withdrawn from the work, and it is therefore only in the few pages of this preface that I can hope to restore to it some kind of unity.

Virginia.

Arrival of Commissioners.

The volume opens with the year 1677, and is occupied at its outset mainly with the later events connected with the rebellion, known as Bacon's rebellion, in Virginia. In the previous volume were found abundant details of the rising itself, and of the measures taken by the English Government to suppress it; the curtain now rises on the arrival, on 29th January 1677, of the Commissioners appointed to investigate the grievances which were supposed to have kindled it. Of the three Commissioners, Sir John Berry and Colonel Francis Moryson arrived some days before their colleague Colonel Herbert Jeffreys, of the First Guards, and in advance of most of the troops; but they proceeded to their work forthwith, and within a week published a declaration inviting all the

inhabitants impartially to come forward and make their complaints (25, 43). Almost immediately, however, they found themselves at variance with the veteran Governor, Sir William Berkeley, first on the lesser issue of his backwardness in providing victuals and ammunition for the troops, and almost directly after on the main question of his attitude towards those implicated in the rebellion. The King's policy was one of lenience towards the culprits; his orders were to spare all except the ringleader Bacon, who, to make things more easy, was already in his grave; and the mission of the Commissioners was therefore indisputably one of conciliation. Sir William Berkeley, on the other hand, was on the side of severity. Though the rebellion was at an end, he insisted on acting as *in furore belli*, arbitrarily overriding the King's act of grace by excepting a certain number of unnamed persons from the general pardon, and confiscating the property of delinquents right and left. For such confiscation the opportunities were great, for, as the Commissioners confessed, there were barely five hundred persons out of fifteen thousand that were untainted by rebellion; and this small minority, which called itself the loyal party, rejoiced at the chance of robbing and oppressing the rest for its own selfish ends (49, 52, 55).

Sir William Berkeley obstructs them.

The Commissioners protested, but in vain, and the bad feeling between the old Governor and his unwelcome guests became rapidly embittered. Colonel Jeffreys on his arrival displayed a Commission which required Sir William Berkeley to resign his Government and repair to England. The old Governor received it with every sign of dutiful subordination to the King's commands, but submitted the instrument to his Council and put it to the members whether he should obey it or not. The complaisant Council, speaking for the loyal party, decided

in the negative, and the Commissioners were baffled once more (66). Emboldened, apparently, by this act of defiance, Berkeley, in a childish spirit of sarcasm, addressed the Commissioners with elaborate courtesy as "Right Honourable" (80), and added insult to disobedience. Meanwhile, he paid not the slightest attention to their protests against his illegal confiscations; he had seen the King do the like himself, he said, in similar circumstances; and, after all, what he had taken amounted not to a thirtieth part of what he had lost (84, 85). Finally, he broke off all correspondence with the Commissioners, and refused to answer their letters, until, as shall presently be seen, a ludicrous incident forced him into relations with them once more.

Misbehaviour of the Loyal Party.

It is difficult to account for the extreme recklessness and discourtesy of the old man's behaviour except on one hypothesis. Long and uninterrupted sway over the settlement sufficiently explains his discontent and obstruction, but there seems good reason to believe that he was hardly responsible for his actions. He was very ill, in fact actually dying, and could hardly have played so strong a part except as the tool of others, namely, of the small body of his adherents who were called the loyal party. The inquiries of the Commissioners all tended to show that the blood-thirsty repression of the rebellion was but part of a fixed policy of this oligarchical clique. The salaries of the members of Assembly were ridiculously high; the cost of the liquor with which they enlivened their deliberations was charged against the public; shameful jobs were perpetrated for the enrichment of their creatures, clerks employed by the Legislature receiving even "4,000 lbs. of tobacco for writing twenty lines" (82), and, in fact, the whole settlement was plundered for their benefit. The complaints

addressed to the Commissioners (122–165) spoke freely enough against the Assembly, but hardly a word against the Governor, from dread, as the Commissioners conjectured, lest he might yet be reinstated in the Government (171). The Commissioners themselves were in an extremely difficult position. They were unwilling to proceed to extremities with a dying man, and yet their duty must somehow be done. Moryson wrote to England and begged his friends to procure his recall, "for this country will make us all fools and shortly bring us to Cuddy Cuddy."*

End of the quarrel.

At last an absurd occurrence brought matters to a climax. The Commissioners called on Sir William to take their leave, and Sir William sent them away in his coach, with the common hangman for postilion. An angry correspondence at once ensued over this flagrant insult (189–191, 193). Sir William swore that he knew nothing of the matter, and would have the unhappy hangman racked, tortured, and whipped, but the Commissioners perceived well enough who was the real culprit. "My lady Berkeley went into her chamber and "peeped through a broken quarrel [*carrée*, square] of the "glass to see how the show looked, but God be thanked "we had the grace and good luck to go all the way on "foot . . . . this trick looks more like a woman's "than a man's malice." Lady Berkeley's letter of denial (191) does not strengthen her case. A few days later (April 27) Colonel Jeffreys issued a declaration whereby he assumed the Government, and old Sir William, after a last angry snarl, gave in (198). He presently embarked for England, where he arrived alive indeed, but "so "unlikely to live that it had been very inhuman to have "troubled him with any interrogations; so he died "without any account given of his government." His

* I fear that I must leave this phrase to others to explain.

last message to the King recounts his long service of thirty-five years in Virginia, and his readiness to clear his innocence before he dies; but it is clear from the letters written to Jeffreys after his departure that nothing but the recollection of his past services could have prompted the extreme forbearance of the King towards him (239, 240, 244–45, 247).

Lord Culpeper appointed Governor.

Thomas, Lord Culpeper, was at once appointed to the vacancy, but it was long before he started for Virginia, and Colonel Jeffreys was left to compose matters as best he could in the meanwhile. Berkeley's confiscations were annulled, and all his acts done in the face of the royal orders were cancelled. Complaints poured in from the relatives of the executed and dispossessed, and it is pathetic to learn that among those who suffered death was one of Cromwell's soldiers, by name Barlow (303). Next the Council was purged, and divers "rash and fiery" members, some notable oppressors among them, were put out. Still the Assemblies showed an arrogance which promised ill for future quiet. They called in question the legality of the seizure by the Commissioners of their records, and stigmatised the act as a violation of their privileges; an impertinence which was ill-received by the King and his Board in England (817, 821).

Death of Colonel Jeffreys.

Before the close of the year 1678 Colonel Jeffreys died. Poor Jeffreys deserves to be remembered as the first of a long series of officers of the standing army who have held the governorship of a Colony, a small point which should not be overlooked by the First (Grenadier) Guards, to which regiment he belonged.* The immediate results of his death were a bitter dispute between his widow and

* He was of Lord Wentworth's regiment of Guards, which was with Charles II. in the Low Countries and was amalgamated with Russell's regiment in 1665.

the relict of his old rival Sir William Berkeley over the salary which each claimed to be due to her departed husband, and a serious relaxation of discipline in the ranks of His Majesty's Guards. To this latter I shall presently return.

Arrival of Lord Culpeper.

Notwithstanding much parade of hastening Lord Culpeper to his Government, there was still no sign of his leaving England, so Sir Henry Chicheley, an "old and crazy" gentleman, meanwhile assumed the administration as Deputy Governor. After long delay Culpeper's instructions and preparations were at last complete, and after still further hesitation on the part of the new Governor himself, which called down from the King a threat that he would be superseded unless he embarked at once, he sailed for Virginia in the "Oxford" frigate towards the end of December 1679 (1231). It is worthy of mention, in view of future events, that he had received from the King full power to return back to the Royal presence as soon as, in his discretion, the state of affairs in Virginia might permit. After a most tedious passage, "full of death, scurvy, and calentures," which occupied in all nearly twelve weeks, he arrived in Virginia at the beginning of May, 1680 (1350), and in a few weeks began to transact business with his legislature.

Refractory conduct of the Council.

It is significant that the first act of the Council was an endeavour to reinstate the members that had been expelled by the English Government. If there were three men who had shown themselves to be of evil behaviour they were Edward Hill, Philip Ludwell, and Robert Beverley, yet it was on their behalf that the Council at once took up the cudgels (1375, 1384). Moreover, the Council made a direct hit at the hated Commissioners who had so much disturbed them two years before. In order to conciliate the Indian tribes, whose insurrection had been the original

cause of the rebellion, Colonel Moryson and Sir John Berry had recommended the King to bestow on the tributary Kings and Queens small crowns or coronets, and purple robes. No unnecessary expense was to be incurred, for the diadems were to be only of "thin silver plate gilt, with false stones of various colours," and the robes only of "strong cloth"; and the advice was therefore accepted. The Council, however, pointing out that this counsel was given "without the permits of the Governor and Assembly," and that such "marks of dignity ought not to be prostituted to such mean persons," begged that the coronets might be for the present withheld. This was not encouraging for Culpeper's prospects; and a fortnight later the Virginian legislature went still further. The new Governor had brought out with him a number of Bills for the final settlement of all matters connected with the rebellion, and in addition to these a Revenue Bill. The House of Burgesses at once fastened upon this last and threw it out. Culpeper took the recalcitrant House to task forthwith, and read them such a lecture on the evils of wasting time and of unparliamentary conduct as brought them to their senses (1408). A compromise was arrived at, and shortly after he was able to report that he had passed all the Acts sent out from England, though with some trouble, and that all was quiet.

Unprosperous state of the Colony.

The country, however, was in no prosperous state. The price of the staple product, tobacco, was so low that it threatened ruin to all, and the Legislature could see no better remedy for the over-production than to petition the King to allow the Colonists to abandon planting during the year 1681. "A wild and rambling mode of living" and "want of cohabitation" were other great evils, for the healing of which an Act of Parliament was again invoked, to promote centralisation by permitting goods to be landed

and shipped in one town only in each county (1433, 1434). Another difficulty, it is painful to record, arose from the behaviour of His Majesty's Guards, there being "mutinous humours" in the company which had once been under command of Colonel Jeffreys. The Ensign and the Lieutenant had personal differences which they carried into the ranks, thereby exposing the soldiers to the evils of disputed command; and the men were reported to be not only useless but dangerous after their long stay in the Colony. The truth probably was that they were neglected as well as unpaid, and having no employment fell naturally into mischief. However, the year came to an end without further trouble, and, indeed, Culpeper had taken leave of the colony so far back as August (1486). In his sudden return and the rejection by the Board of Trade and Plantations of the compromise granted to the Virginian legislature over the Revenue Bill (1536), we must look for the matters which will chiefly engage attention in the year 1681. For the present we close the business of Virginia, as comprehended in this volume at this point. A list of the civil and military authorities of each county, which appears to belong to 1680, will be found at No. 1637.

Maryland. A happy country.

Of Maryland we hear singularly little in the four years under review, though there is an interesting account of the settlement given by Lord Baltimore in answer to the inquiries of the Board of Trade and Plantations (633). He does not indeed consent to give all the minute details required of him; "Such scrutinies as their Lordships "desire would certainly either endanger insurrections or a "general dispeopling of the Province, which is at present "in great peace and quiet, all persons being secured to their "content of a quiet enjoyment of everything they can "possibly desire." He therefore professes himself unable to give any statistics of cultivated or uncultivated land or

population. The English, he reports, know their own strength, but he can give no account of it. They baptise their negroes and instruct them in the faith of Christ, which most masters in America through covetousness refuse to do, and every man is at liberty to worship God in the manner most agreeable to his conscience; otherwise the settlement would never have been formed. Altogether Maryland was a happy country; though its trade was seriously obstructed by the late Act of Navigation, a criticism which could not have been agreeable to the Board.

Carolina.

The Rebellion of 1677.

Passing next to Carolina we find, though not till we arrive at the documents of 1680, that there, too, there was a rebellion on a trifling scale in the year 1677, an affair which was first brought to the notice of the Lords of Trade and Plantations by one of the aggrieved parties, named Thomas Miller. The Lords Proprietors on being questioned gave a concise account of the rising (1288) which throws a curious light on a detail of Colonial administration that was already leading to troublesome results. In 1677 the Proprietors sent a Mr. Eastchurch to be their Governor in Albemarle county, who betook himself, doubtless on private business, to Antigua, and appointed Thomas Miller, the Collector of the King's Customs, to be his deputy. Now Miller had a failing, not, as the Proprietors point out, the common one of religious bigotry which had bred such dissension in New England, but a weakness for strong liquor. On his arrival "he undertook to model the Parliament," no doubt with alcoholic readiness and assurance, which proceeding, we learn without surprise, gave the people occasion to oppose and imprison him. Thereupon certain unscrupulous men agreed together to usurp his place as Collector of Customs and defraud the King of his dues; and so made the matter one of Royal concern. John Culpeper the ringleader of the

rebels was brought before the Lords of Trade and Plantations. He claimed to be tried in Carolina; failing which he confessed his guilt and threw himself upon the King's mercy. The whole affair having long blown over, the Lords wisely decided that the only important point was the recovery of the duties owing to the King; and therewith the rebellion of Carolina came quietly to an end (1343, 1490). Wise provisions for the settlement of disputes with Indians show the zeal of the Proprietors to keep the peace.

Good administration of Lords Proprietors.

There are, however, not a few documents of unusual interest relating to this same province in the present volume, testifying one and all to the great good sense and administrative ability on the part of the Lords Proprietors. The first of these consists in instructions to the President of the Council of Albemarle county, with a view to the ultimate building up of a grand model of Government for the whole province (879), but first and foremost to the attraction and encouragement of settlers. The system of land grants speaks for itself; sixty acres of land to every freeman over sixteen years of age, and the same area to "every able man-servant with a good fire-lock 10 lbs. of powder and 20 lbs. of bullet." Still more instructive are certain supplementary directions (992) to the authorities at Ashley river on the same subject, which show how little the nature of the English emigrant has changed in two centuries. The Proprietors have heard that "many persons who arrive to plant, spend "their time idly and consume what they bring with "them, and then finding themselves unable to quit the "place, lay the blame on the soil and the country." It is just such persons as these that now swell the list of the "unemployed" in Sydney and Melbourne; and the remedy suggested is the same in both cases. The Pro-

prietors of Carolina ordain that all new comers are to be called upon to employ themselves in planting provisions; the Australian Governments try by means of village settlements and other devices to bring about the same result. In the same paper attention is called to a regulation limiting the proportion of river frontage to be allowed to holders of land, which proves the existence even then of the practice of "gridironing"* which has done such untold mischief in Australia.

Scheme of introducing French Immigrants.

Concurrently we find the Proprietors gladly accepting a scheme propounded by two Frenchmen, Réné Petit and Jacob Guérard, for the settlement of a number of French Protestants, seventy or eighty families, on the land in Carolina, there to cultivate their native produce of wine, oil, and silk, and make a home to receive their distressed brethren "who return daily into Babylon for want of such a haven." The whole story may be traced under the index of these two names; for the present it will be sufficient to say that Réné Petit sailed away with his emigrants to his destination, though not without some slight cavillings from the Commissioners of Customs, who would have preferred to see these settlers domiciled in England. "Too many families," said they, "already betake themselves to the Plantations "and Ireland to the unpeopling and ruining of England, "and this tendency should be checked rather than "encouraged." The Lords Proprietors supplied the money and the King a frigate; and it is to be hoped that later

* "Gridironing" consists in the purchase of a narrow hem of land on the margin of a river and its tributaries; the object being by exclusion of all others from access to the water to make the land that lies between the different streams useless to any but the proprietor of the water-frontage, and so obtain for him the use thereof for nothing. Such properties, when coloured on the map, present the appearance of the bars of a gridiron.

volumes of this Calendar may throw light on the ultimate success or failure of the venture.

Building of Charlestown.

Lastly, there are precise instructions for the building of Charlestown, not the least centre of historic interest in the short life of the United States. The site of the city is precisely fixed; and, continue the directions, "You are "to take care to lay out the streets broad and in straight "lines, and that in your grant of the town-lots you do "bound everyone's land towards the streets in an even "line, and suffer no one to encroach with his buildings "upon the streets, whereby to make them narrower than "they were first designed" (1233). Here is a forethought of the model Colonial towns of Christchurch, New Zealand, and Adelaide, South Australia. Further, to encourage the building of houses, it was ordained that town-lots should be forfeited unless the house were built within two years, while anyone who should erect a house at least thirty feet long, sixteen feet broad and two stories high, besides garrets, within a twelvemonth, became thereby entitled to additional town-lots (1355) if he should desire them.

Massachusetts.

Dispute over New Hampshire and Maine.

I turn now to the Northern Colonies comprised under the generic name of New England, and in particular to the chief of them, Massachusetts. Here we find the interminable controversy over the claims of Robert Mason and Ferdinando Gorges to New Hampshire and Maine still waged with undiminished ardour between the two principals and the two Agents from Boston, Peter Bulkeley and William Stoughton. The whole matter was referred to the Board of Trade and Plantations on 7th February 1677 (47), which was obliged, in its turn, to call the Lords Chief Justices of the King's Bench to its assistance; and the struggle over priority of grants, legality of charters, and other subtle points was vigorously

carried on. But meanwhile, another and far deeper cause of contention between Colony and Mother Country was introduced by Edward Randolph, in the shape of the following specific charges against the Government of Massachusetts: (1.) That they have no right to land or Government in any part of New England, and have always been usurpers. (2.) That they have formed themselves into a commonwealth, denying appeals to England, and do not take the oath of allegiance. (3.) That they have protected the late King's murderers contrary to royal proclamation. (4.) That they coin money with their own impress. (5.) That in 1665 they opposed the King's Commissioners and by armed forces turned out the King's Justices of the Peace in contempt of royal proclamation. (6.) That they have put men to death for opinion in matters of religion. (7.) That they impose an oath of fidelity to their Government to all within their terrritories. (8.) That they violate all the Acts of Trade and Navigation to the annual loss of 100,000*l.* to the King's Customs.

Edward Randolph's accusations.

The Board, on consideration of these articles, found them to be of such high concern that they separated them into questions of law and of state. The former, which comprised the rights of the "Bostoners" to land and government and the erection of the country into a commonwealth, they referred to the judges; the remainder they reserved to themselves, judging them to be not the less serious from the support given by independent testimony to Randolph's statements (294, 295). The Agents from Massachusetts, being called upon to answer the charges, said that they had no powers except to answer the claims of Mason and Gorges, but consented as private individuals to make some kind of defence; which amounted virtually to a confession of guilt with a plea

of extenuating circumstances, and many promises of amendment (351, 354). This, of course, led to a rejoinder from the other side, with a recapitulation of the old charges and an additional list of new (357, 358). It was now averred that the Bostoners denied baptism to the children of those not born in Church fellowship, fined people for not coming to their meeting-houses and whipped others for not paying the fines, forbade the observance of Christmas day and other festivals, and had in sundry other ways exceeded their own powers and acted in repugnance to the law of England. Then the laws of Massachusetts were turned up, and there were found therein several illegal imposts and a curious list of fines, *e.g.*, for galloping in Boston streets, 3*s.* 4*d.*; for playing at shovel-boards, bowling or other game, the house to pay 20*s.*, and every person 5*s.*; persons playing for money to forfeit treble value of their stakes, half to the informer and half to the Treasury; every person dancing in ordinaries to pay 5*s.*; every person offending by observing Christmas to pay the same; persons importing or playing with playing cards to pay 5*l.*; and so forth, all tending to make an ideally holy and unhappy community. The Crown lawyers were set to work to pick holes in the obnoxious laws, and Mr. Attorney fastening on the phrase "offences made capital which are so by the word of God," showed without difficulty that if the "word" were taken to mean the Mosaical law "the Patent would not in many instances be fit to be followed by Christians" (378, 379). Mr. Solicitor followed with several proofs that the royal authority was unduly ignored (380); and in fact the statute-book of Massachusetts was subjected to such an inquisition as was to be looked for in the height of a reaction against Puritanism.

Unpleasant position of the Agents.

The unhappy Agents now became uncomfortable.

They had come, as they said, only to combat the pretensions of claimants to their territory. But in doing so they had advanced themselves the most extravagant of claims. All was now going against them. Their charter was remorselessly criticised (359, 366), the extension which they had claimed for their boundaries was called "an imaginary thing no longer to be thought of by them," and, above all, the general faults of their community were ruthlessly laid bare. They feebly pleaded that it was time for them to return to Boston, but were answered that they must not think their stay too long, "for it was necessary and might be useful to "themselves in showing them that the King did not "treat with his subjects as with foreign powers, but was "resolved to exert his own authority both for their good "and for his own (371)."

Sale of Maine to Massachusetts.

The original wrangle with Gorges and Mason was then resumed. The question of Maine, which was in dispute with Gorges, was suddenly settled by his sale of the Province to Massachusetts (629), and thus so much of the dispute was at any rate cleared out of the way. But another point on which the Agents fought hard was the retention of four towns on the Piscataqua, which they alleged would be under no one's care if not under that of Massachusetts, and from which they produced petitions praying to be continued under its rule. They were, however, met by a fresh batch of charges from Randolph, and by accusations from New York of disloyalty during the late Indian war. Moreover, in spite of the King's warnings as to their former misdeeds, the Government at Boston had persisted in them; and the Agents were plainly told that so far from granting them an accession of territory the King was thinking seriously of diminishing their authority for the extension of his own (653). Meanwhile

a letter was addressed to the Governor and Council of Massachusetts ordering the oaths of allegiance to the King to be taken forthwith.

The Agents at last allowed to go.

The Agents now again tried to make their escape (May 1678, *see* No. 703) but perforce remained in England answering objections and charges as best they could. Old stories were raked up (811, 813) and rival claimants for the possession of the settlements in the Piscataqua kept cropping up on every side. And so the weary controversy continued until at last in February, 1679, the pressure of business caused by the Popish plot forced the Board of Trade and Plantations to dismiss the Agents to their Government. They took with them sundry messages of warning and advice, with distinct instructions that the misdemeanours imputed to the Massachusetts should be answered, and that two more Agents should be sent over with more extensive powers (912, 1028). Thus Bulkeley and Stoughton, after a very trying ordeal, at last obtained their release.

New Hampshire established as a distinct Colony.

The Board had meanwhile proposed to shelve the question of the land on the Piscataqua for the present; but it was not to be. New Hampshire, for this was the province which was comprehended in the dispute, was a matter of too great importance to the rival claimants to be at once abandoned. If any be curious to follow the course of the controversy over New Hampshire they can do so by means of the index. Long before the combatants had ceased to pelt each other with representations and arguments, the English Government had settled the whole affair by taking the province into its own hands (May 1679, *see* No. 996). The new constitution was discussed in the following month, by the 10th July it was complete (1058), and in September or October a great seal, the Royal Arms and His Majesty's picture, were sent across

the Atlantic (1131). The agreement arranged with Robert Mason on the subject was signed and sealed on the 1st July 1679 (1041), and a second troublesome matter was for the present settled. The next that we hear is that the President of the new Government, John Cutts, "a very just and honest but ancient and infirm man," has been duly installed, and that Massachusetts has revoked all its former commissions within the Province. In June 1680 the President wrote his first despatches (1413, 1414), whereon we read that, although by the loss of the ship that carried His Majesty's royal effigies and the Imperial arms, that precious freight had miscarried, yet that on the whole all was quiet. With this our information respecting New Hampshire for the present ends.

Dispute over the King's Province.

Concurrently there had raged a violent dispute as to jurisdiction over what is called impartially the King's Province, or the Narragansett or Niantic countries, lying between Narragansett Bay and the Pawtucket River. Here again, should any reader be ambitious to follow an extremely complicated and vigorous dispute I would refer him to the index. Massachusetts set the quarrel going by an arbitrary disposition of the country (797). Connecticut, Rhode Island, and New Plymouth exceeded each other in indignant vindications of their respective rights, with a diversity not only of argument but also of spelling that is most bewildering. One document of genuine interest, however, was called forth in the course of the controversy, namely, a letter from the old champion of religious liberty, Roger Williams. There is a singular, almost Miltonic, dignity in his account of Mr. Richard Smith, "who for his conscience towards "God left a fair possession in Gloucestershire and "adventured with his relations and estate to New "England," and his description of himself as "by

" God's mercy the first beginner of the mother town of " Providence and of the Colony of Rhode Island." Compared with such language as this the letter from the inhabitants of Dover, for instance (587 III.), which likens the King's favour to "the sweet influence of " superior or heavenly bodies to the tender plants," seems tawdry indeed. But readers may see the whole of Roger Williams' letter for themselves (1069).

Dispute over Mounthope.

Yet another bone of contention, which gives a fresh example, if such were needed, of the quarrelsomeness of the New England States, was the possession of the scrap of land called Mounthope, which had attained a certain notoriety in the late Indian war, and which was finally adjudged by the Board of Trade and Plantations to New Plymouth (*see* index, Mounthope).

Randolph's fresh accusations against Massachusetts.

While all these wrangles were going forward, Edward Randolph, the original accuser of Massachusetts, had been sent out to supervise the collection of the King's customs in that recalcitrant state, establishing the government of New Hampshire on his way. His account of the state of things in Boston at the opening of 1680 was not encouraging. The Government was still collecting customs and coining money contrary to the Royal order; there was hardly a child baptised in Rhode Island, none lately in Maine, and few in the other Colonies, all of which things had been censured by the King months before. After a month's stay he was able to speak more decidedly. "The Bostoners, " after all the protestations by their agents, are acting " as high as ever, and the merchants trading as freely; " no ship having been seized for irregular trading, " although they did in 1677 make a second law to " prevent it. It is in every man's mouth that they " are not subject to the laws of England, neither are

"they of force till confirmed by their authority." Randolph now, as heretofore, was for strong measures. "His Majesty may make short work of them by "bringing a *quo warranto* against them, and then "they will beg that on their knees which now they "will not thank him for." As we have seen, the Lords of Trade and Plantations had thought seriously of cancelling the Charter of Massachusetts, and we do not hear the last of this design in the present volume (1305).

Resistance to Randolph in Boston.

Randolph did not find his difficulties decrease with time. His zeal to suppress illicit trading soon involved him in litigation of the most unsatisfactory kind. If he seized a ship, all endeavours were used not only to cast him but to throw him into prison or clear him out of the way. His credentials from England were not accepted, and he was treated only as a common informer. He announces plaintively that in a pending suit in vindication of the King's authority against illicit trading, the Magistrates refuse to give him an attorney, and that he expects to lose his case whatever his defence. If he tried to board a ship he was threatened to be "knocked at head"; if it was expected that he would board one, he was warned not to do so under the same penalty. The Governor gave him little or no support. In fact, as he says, he has "only life and hope left, which he is "unwilling to expose to the rage of a bewildered "multitude." Strong measures are essential; "for His "Majesty to write more letters will signify no more "than the 'London Gazette'" (1374).

Governor Bradstreet's Letters.

Meanwhile, however profitless the King's letters might be, the authorities at Boston thought that a little smooth writing from their side would do no harm. Governor Bradstreet accordingly wrote, while poor Randolph

was still tearing his hair, to say that the work of reform as recommended by the King in July, 1679, was in steady progress (1388). The cloven hoof, however, showed itself almost immediately. "Concerning "liberty of conscience, a chief design in our fathers "coming hither was to enjoy freedom; but we presume "that His Majesty does not intend that a multitude "of notorious errors, heresies and blasphemies, should "be broached among us, as by the Quakers, &c." Here was a prospect of pleasant neighbours for William Penn whose Patent was under consideration almost while this letter was a writing. But the cruellest sting lies in another paragraph. "We beg His Majesty's "excuse for not sending over other agents [as the "King had expressly ordered], and the rather for that "we understand His Majesty and Privy Council are "taken up with matters of greater importance." There was the rub. "The news of trouble at home gives encouragement to faction at Massachusetts," Randolph had written; and the Bostoners were fully aware of Charles's difficulties over the Exclusion Bill.

The English Government loses patience.

But the patience of the English Government was becoming exhausted. Before this letter had reached them the Lords of Trade and Plantations pointed out (1506) in the severest terms to the King that the Boston folk were trifling with him, and submitted the following draft of a letter: "By our letter of 24th "July 1679 we signified our willingness to forget all "past errors, and showed you the means by which you "might deserve our pardon, and desired your ready "obedience to certain commands, all of which we "submitted to your agents. We little thought then "that our favour would have found so little favour "with you. . . . . Few of our directions have

"been pursued and the rest put off on insufficient "pretences. You have not even sent us the new "agents that we ordered to be sent over within six "months after receipt of our letter. . . . . "Nevertheless we continue our clemency towards you "and we therefore require you seriously to reflect upon "our commands already intimated to you, and within "three months of the receipt hereof send us . . . . "your fully qualified agents. . . . . You will "further call a General Court on receipt of this letter, "read our letters and see to the execution of the "commands therein, in default whereby we shall take "the most effectual means to enforce the same." And at this interesting point the documents relating to Massachusetts in the present volume come to an end, though the final threat points almost to a landing of the red-coats in Boston a century before their time, when there should be no Washington to organise resistance, no European coalition to distract their operations, and no French fleet and army to drive them from the Continent.

New England.

General condition.

For the rest, the craving for information which marks the policy of the English Government towards the Colonies just at this period bore useful fruit in the shape of statistical accounts of the various settlements, which are of no little interest. First in order comes that of New Plymouth (1349), which seems to have been the most prosperous of all; then Rhode Island (1352), Massachusetts (1360), and Connecticut (1447). Except in New Plymouth, population seems to have been scanty and slow of increase. All the Colonies are inclined to lament obstruction to trade from one cause or another, generally blaming the Acts of Trade and Navigation. Massachusetts hits a great blot in her

complaint of Algerine pirates, the mischief of which, even in the Channel, was a sad reproach to the naval administration of England. Indeed we twice find these pirates interfering seriously with the course of Colonial affairs by the capture of Seth Southell, Governor of Carolina, on his way to his Colony, and of William Harris, a delegate from a faction in Rhode Island, on his voyage homeward. The scarcity of labour is a grievance common to all the settlements, though in this connection it is curious to be reminded that over one hundred Scots were bought and sold for servants at Boston, "in the time of the war with Scotland." We are more familiar with transportation to Barbadoes than to New England. But the most healthy sign of all is the general absence of idle beggars and vagabonds. Such people were not suffered in these industrious communities; and though Massachusetts does indeed confess to the existence of a few of them, it is only for the sake of flinging a stone, after her malignant manner, at the Quakers of Rhode Island.

Treaties with Indians.

William Penn.

In the matter of relations with the Indians some interesting particulars may be gleaned from the letters of Sir E. Andros from New York, of Colonel Nicholas Spencer from Virginia, of Governor Notley from Maryland, and from a letter by W. Greenhalgh, which can be found without difficulty by reference to the index. Lastly, the arrangements for the grant of territory to William Penn, of which we have our first notice on the 1st June, 1680, (1373), the negotiations with the Duke of York and Lord Baltimore, and so forth, can also be traced step by step under the head of the name Penn in the index. The most curious original document relating to this matter is probably that containing the observations of the Attorney-General,

Sir Creswell Levins, on the proposed grant, which are scribbled on the back of an old letter so roughly and carelessly as to be only with difficulty decipherable, as though so trivial a matter were unworthy the dignity of a fair copy (1584).

Newfoundland.

Dispute between fishermen and settlers.

Pursuing our way northward we come to the distressful country of Newfoundland, respecting which the student will find a large mass of not greatly varied information. The gist of the story, which is carried forward from the previous volume of this Calendar (1120, 1159, 1160), lies in the conflict between the permanent settlers and the migratory fishermen. It was, as is avouched by the testimony of various witnesses, the habit of the fishermen violently to dispossess the planters of their houses, stages, and goods, under plea of a charter granted to the West Country owners or Western Adventurers, the company of gentlemen and merchants in Devon who equipped the fishing fleet for its annual voyage. Needless to say, the fishermen retorted their own accusations against the planters (*e.g.* 215), which led to much recrimination and not a little hard swearing. But while these two parties of English were fighting among themselves, the French, who were numerous and well provided for in Newfoundland, were always on the watch, ready to step in and take the prize when the combatants had exhausted themselves. For the present the Board of Trade and Plantations decided to order the King's officers of the convoy at Newfoundland to keep the peace between planters and fishermen, and to send out Commissioners to report. The first of these reports gives a curious account of the race for harbours on the arrival of the fleet. First come first served was the rule, and if the ships could not reach the harbours for foul winds they manned their boats and sent them forward alone. At such

times the permanent settlers or planters were of untold value, for sometimes the ships did not arrive until ten days after the boats, and "what would become of the "poor men at such a cold season if they were not "relieved by the planters?" (405).

Settlers appeal to the King.

During 1678, owing to an embargo enforced by the King, no ships went to Newfoundland except some few from the Devonshire ports, which sailed in defiance of the embargo and did the usual mischief to the settlers. These last now appealed piteously for protection and proper governance, summing up their spiritual and temporal wants in the three words, a government, a minister, and fortifications. These they declared themselves ready to maintain at their own cost (886, 958). The Board of Trade and Plantations summoned the Western Adventurers to answer these complaints (965), and the quarrel was renewed. The two questions at issue were, did the planters really injure the fishing trade? and, could Newfoundland and the fishery be preserved to England without a colony? The latter was incomparably the more important, and was answered, of course, with equal assurance by the planters in the negative, and by the fishermen in the affirmative, according as the interests of each dictated. It was for the Board of Trade and Plantations to choose between the two.

Decision to appoint a Governor.

The first business was to go through the charter of the Western Adventurers carefully clause by clause, and amend it so as to heal the breach between them and the settlement, but with a leaning always to the side of the planters [settlers] (1294, 1300); and at the second sitting the Board agreed that a Governor should be sent to Newfoundland with jurisdiction alike over planters and over fishermen that offended ashore. The Western Adventurers were anything but pleased, but the mind

of the Board was evidently made up. Sir George Downing of the Commission of Customs, who was called in to state the effect of the proposed change in his department, set forth by many arguments the mischief that was to accrue to the fishery by the appointment of a Governor, but he was silenced by the intimation that the opinion of his brother Commissioners would be taken as well as his own (1313). The Western Adventurers sent up agents to speak on the same side as Downing; and the Western towns, which were their head-quarters, supported their representations. But, says the journal of the Board, their Lordships finding no reason to alter their former resolution as to a Governor, agreed to proceed further towards preparing rules and provisions in that behalf (1536). It is evident that the opinions of the captains of the convoys seriously and rightly influenced the Board in forming its final decision (1313); and the extreme lucidity of their reports (1121, 1510) shows their capacity for judgment. The consideration that moved them in urging their reform was one which, though less potent perhaps in the reign of Charles II. than of other English kings, is always paramount in the mind of the English sailor—the exclusion of the French. Here we leave Newfoundland apparently on the eve of her erection into a Colony.

Bermuda.

Complaint of inhabitants against the Company.

Striking now southward from the mainland to the Islands, we touch before entering the tropic at the little archipelago of the Bermudas or Somers Islands. Here again we find the same troubles at work, leading, as in Newfoundland and Massachusetts, to the same issue between Chartered Company and State. Quite early in 1677 (9) certain members of the Somers Island Company petitioned the King for redress of grievances imposed by a majority of their body on the planters in the Island,

grievances which had their root in the exercise of a most grasping and selfish monopoly. The Company had an answer ready (9 II.), and there for the present the matter seems to have rested. But in 1679 the planters in Bermuda themselves presented a table of complaints (990 I., II.), which brought the question forward in an acuter form. The Company, the planters alleged, virtually prohibited any ships except their own, even ships in distress, from entering the ports of Bermuda; the inhabitants could not consign their produce except to the port of London, where it was subjected to heavy duty for the Company's benefit, nor could they obtain any ships or goods except those that were furnished by the Company at its own time and its own scale of prices. The system is not so very unlike that which prevailed less than twenty years ago between the West Indian sugar-planters and the great firms that supplied them with money; but the crowning grievance of Bermuda lay deeper than this. "The inhabitants "frequently have occasion to petition His Majesty for "relief from many injuries; but the present Government "will not suffer such petitions to come for England, "unless allowed and approved by them." In plain English, the Company's agents exercised censorship over all documents that impugned its actions and would not suffer them to be delivered.

The Board of Trade decides against the Company.

A second petition a few months later (1052) expanded the previous articles of complaint, and called forth an answer from the Company which was simply a categorical denial of every statement (1062). The Board of Trade and Plantations, however, being still unsatisfied, determined to examine the matter, and called both parties before them to state their cases. Then the complainants appear to have become frightened, for we

find the Board refusing to hear them further unless they paid five pounds to the Company as indemnity for unnecessary delay (1072); but they plucked up courage, and on the 30th July the informal trial was begun (1081). After a couple of sittings the Board dismissed all the charges but two, but on these reported strongly to the King, that the Company had no right to deprive any of his subjects of the power of petitioning to him, and that it had acted arbitrarily and illegally in dispossessing inhabitants of their lands without trial, and in itself trying causes as a Court of Judicature of First Instance. If the Company refused to submit to this decision the powers of their charter must be tested by an action at law. The Company did refuse; an order was issued for its prosecution in consequence (1277), and at this stage the proceedings for the present terminate.

West Indies.

Menaces of the French Fleet.

Lastly, we turn to the West Indies proper, which for our purposes fall into three groups; the Windward Island of Barbadoes, the Leeward Islands of Montserrat, Nevis, Antigua, and St. Christopher's, and, the leewardmost of all, Jamaica. Before treating of them singly it will be convenient to notice first a common danger that threatened all alike, and is indeed the first thing of which we hear in that quarter in the years under review. On the 8th February 1677 Sir Jonathan Atkins reported the arrival of a powerful French fleet under Count d'Estrées, which had picked up French soldiers from all the Islands, reinforced itself with several sail of privateers, and was throwing the whole archipelago into alarm (48). After coasting Barbadoes all night, it bore away to leeward, and the next that was heard of it was that it had destroyed the Dutch fleet at Tobago (92), defeated the Dutch ashore by a single lucky shell which

exploded the magazine, and swept the island clean, with the loss to themselves of but one man (559). From thence it proceeded to Martinique, and then again appeared in November before Barbadoes. The militia of the Island was called under arms, but nothing happened beyond an exchange of civilities; and D'Estrées sailed away "with something of admiration to see so great a force of horse and foot in so small an Island" (498). At the opening of 1678, however, came rumours of war between England and France, and the panic at the presence of the fleet, which had never wholly subsided, rose again to fever pitch. In Barbadoes new defences were hastily erected; in Jamaica martial law was proclaimed and the spade set busily to work; and in St. Christopher's and Nevis, which were the most exposed of all, the Governor and all the whites were under arms night and day, while all the negroes that were out with them worked hard at the trenches (642). A month later warning came from England that a breach might happen with France, and that the Leeward Islands were to do as best they could for their defence (667). Before the message could reach its destination the fleet itself, twenty men-of-war and fifteen privateers, was at Basseterre in St. Christopher's, within sight of the anxious English, and apparently beating to windward to attack Nevis (687, 690). At sunset on the 29th April, however, it vanished to leeward, and nothing more was heard of it until on the 1st of June news was brought to Jamaica, that this dreaded fleet had come to disaster. It had sailed for Curaçoa, whence the Dutch Governor sent three small vessels to watch it. The French gave chase, and the Dutch, knowing the navigation better than they, led them into a dangerous channel. The great ships began to run aground and fired guns of

warning, which the rest of the fleet took as a signal for closer pursuit. One after another the great ships crashed on to the reefs; and thus miserably perished ten out of the twenty splendid vessels brought out by D'Estrées. Three smaller ships were also lost, as well as five hundred guns and five hundred men. Such was the scene at the Isle of Aves on the 4th May 1678.*

Military resources of the Islands.

The news did not reach St. Christophers until the 29th June, but the relief at its coming was great. The British possessions one and all had, as we have seen, strained themselves to the utmost to repel any attack, and it is remarkable to note the strength of the forces which they could put into the field. The accounts of these for the Leeward Islands (423, 679, 741, 1418), for Barbadoes (1336), and for Jamaica (1370), have been carefully abstracted at some length as of value to the student not only of Colonial but of Military history. They present indeed a curious reflection of English military progress in the forty years since the opening of the great civil war. Thus in Barbadoes some of the muster rolls show as crude an organisation as that of the English militia in the days of Elizabeth; while on the other hand, as we shall presently see in treating of another matter, the Island rejected certain weapons offered by the Board of Ordnance in London for others of a newer and more effective kind. In Jamaica again, though fifty years had passed since Gustavus Adolphus had reformed the organisation and tactics of infantry, we find at least one instance of a company (1370 IX.) drilled and organised according to the obsolete fashion of Maurice of Nassau, an interesting survival, forasmuch as the officers were many of them the same men who had been sent out under Venables, Sedgwicke, and Brayne in 1655–57.

* *See* Dampier's Voyages, i. 50–51, ed. 1729.

Leeward Islands.

Stapleton and the command of the Sea.

But the ablest soldier and administrator alike in the West Indies was undoubtedly the Governor of the Leeward Islands, Sir William Stapleton. His despatches, dealing as they do almost exclusively with questions of defence, have a peculiar interest for the student not only of West Indian history but for all who would follow the long struggle of England and France for Colonial Empire. His position was one of no ordinary difficulty. St. Christophers was then divided between the English and French, the latter being in very decided preponderance. Moreover, the French had a good base of operations close by to windward at Martinique, while the most powerful English island to windward, Barbadoes, was separated from St. Christophers by three or four times the distance. But the standing danger to the English islands lay in the continual presence in the Caribbean Sea of a powerful French fleet. As Stapleton again and again pointed out, all empire in the West Indies turned on the control of the sea. As far back as 1675 (*see* No. 254) he had urged (and the Board of Trade, to do it justice, had supported him) the imperative necessity of maintaining a powerful English fleet to keep that of the French in check; and all through the present volume we find him harping on the same string, and pleading that if not a fleet, at least a frigate might be spared him to enable him to sail from island to island of his government. Again and again the Board of Trade returned to the charge, and pressed the King to send both frigate and fleet (*e.g.*, 288, 299); and once we find matters pushed so far that an estimate was prepared of the expense of six ships and one thousand men for the Leeward Islands (700–702).

Apathy of the English Government.

Little, however, came of this. The whole naval force consisted of the "Quaker," ketch, "as meanly manned,"

wrote Stapleton, "as ever I saw vessel . . . . . "commanded by a mere brute unfit to live among "men. . . . I have several ketches from New England, "which in a few days might be manned and fitted "with as much credit to the Crown as the 'Quaker' is "often represented" (603, 604). What the Government did supply was a trifling sum for the building of fortifications (280), a small supply of stores, and a small reinforcement of men for the two companies of regular troops quartered in Stapleton's command. These last, just fifty-seven men, dressed, be it noted, in red coats (335), arrived at their destination in January 1678, "but, my "Lords (wrote Stapleton), in that condition that never "soldiers were sent—without arms, ammunition, or "money to subsist withal, not so much as a sword or "the ammunition loaf to a place where there is no "magazine nor any stores to be purchased . . . . "I submit it to your Lordships' serious consideration "how dishonourable it is to the King and nation to "send soldiers to garrison where French and Dutch are "spectators of such their naked condition. They have "given me one of the greatest confusions I ever had" (582). When it is added that the two companies to be reinforced had themselves hardly any arms, owing to the destructive effects of the climate, and that their pay was in arrear since from the year 1671, poor Stapleton's feelings at the aspect of these recruits, especially when compared with ten French companies of old soldiers, well paid and clothed, which had recently arrived in St. Christopher's, may be more easily imagined than described.

Treaty of neutrality between French and English in Leeward Islands.

In the height of the alarm from D'Estrées's fleet the French General, Count de Blenac, offered Stapleton to make a treaty of neutrality between the French and

English in the Leeward Islands, to subsist, whatever the relations between the mother countries. Stapleton eagerly grasped at the chance; the Treaty was signed on the $\frac{9}{19}$th May (741. IX.), and readily sanctioned by the English Government (745, 750). The French Government, however, refused to ratify the agreement, and the whole matter became for a time the subject of negotiation between the two Courts, the idea being to extend the Treaty to the whole of the West Indian possessions. The negotiations, however, were abruptly broken off by the French. The proceedings may be traced in the Index under the head Treaty, and need not, therefore, detain us longer, though it may be remarked that Stapleton held the behaviour of the French in the matter to be neither honourable nor straightforward. Yet he was not surprised, for he had once heard from Mazarin's own lips the saying, "Le roy n'est pas l'esclave de sa parole" (1359).

Renewed menaces of the French fleet.

Meanwhile, the respite that had been granted by the destruction of D'Estrées's fleet was not of long duration. By March, 1679, the arrival of a new French squadron was expected, and there was not even an English ketch among the Leeward Islands to meet it. The general insecurity had had its effect on the inhabitants, who were inclined to emigrate to safer settlements, such as Jamaica, a tendency which required to be checked by orders from the English Government (907, 1000). To aggravate that insecurity further, the French in the Island of St. Christopher's used their superior strength for the oppression of their English neighbours, to the immense indignation of the helpless Stapleton. Knowing by bitter experience the backwardness of Charles in affording protection, he thought out a scheme for replenishing the slender stock of his war material by making it obligatory

on every merchant vessel to carry with it a certain proportion of ammunition on every outward voyage; a plan which was duly accepted in principle by the Board of Trade (968, 978) though we hear no more of it. Meanwhile, in June, the expected French fleet had reached Martinique, and in the same month a French man-of-war sailed into Nevis without taking the slightest notice of the English flag, and did not retire till six shots had been fired at her and she had herself answered by firing seven others towards the shore (1024). Two other French men-of-war offered the like insult to Jamaica (1059), and in July the fleet was again in the vicinity of Nevis worrying the inhabitants to death by the suspense of an attack. How, asked Stapleton, could he be expected to defend the Islands, though all blame of disaster must rest on him (1063)? The French in St. Christophers became more high-handed than before (1137, 1235), and Stapleton, finding the present situation unbearable, at last proposed as the only possible solution of the difficulty that the Island of Montserrat should be surrendered to the French, even at personal loss to himself and to others, in return for their evacuation of St. Christophers (1235). This suggestion again was eagerly snatched at in England (1320, 1324), in the hope of checking the importunity of the Leeward Islands, for Stapleton had coupled with his proposal a renewal of his request that either an efficient man-of-war should be sent to him or none at all.

The English Government's paltry assistance.

At last, after further insults from French vessels had driven the much-harassed English Governor almost to desperation, the English Government made a great effort and agreed to allow 1,500*l.* for the building of a fort at Nevis (a "bountiful supply" as the Board of Trade, in the desperate state of English finance, judged it to be),

and with high commendations for Stapleton's spirited treatment of the French men-of-war, instructed him to vindicate the King's honour with the like readiness in future (1192, 1279). The Board also for the fiftieth time tried to persuade the King to send an adequate naval force to the Leeward Islands, and held out hopes to Stapleton of success (1320, 1324). But even while they were debating, the shameful inefficiency of the Admiralty Board had been visited on Stapleton in a quite unexpected fashion. The one paltry ketch on the station, the "Deptford," ran short of ammunition, and was obliged, after supplying herself from the slender stock at Nevis, to sail homeward. "It is a sad thing," wrote Stapleton, "that we who have so little store must lessen it. I hope "that if any English men-of-war be sent here, the "Admiralty will see them provided for a West Indian "instead of a Channel voyage as was the 'Deptford'" (1337). The French naturally took fresh advantage of the weakness of the English. "Hardly a week passes, but "some proud Frenchman or other comes and will neither "salute nor lower topsails until forced to it or compelled "to bear off by our guns. . . . . It frets me to nothing "but skin and bone to see such indignities put on the "King's flag by their very merchantment" (1418, 1437).

Sir William Stapleton.

So the months passed on in constant alarms during the year 1680. The intelligence of the "bountiful supply" of 1,500*l.* towards the fortification was Stapleton's only crumb of comfort. He was thankful for small mercies, but pointed out that the sum was absurdly inadequate. "How far short it will fall even to pay the masons I "leave to your Lordships' consideration . . . . . If "you would procure the bestowal of the 4½ per cent. "duty on the erection and repair of forts (*which was the "purpose for which it was originally designed*) you would

"infinitely oblige the inhabitants." All such representations were, however, useless. The Councils of the Islands added their entreaties to Stapleton's without avail (1392, 1441, 1442); and the only result was the reappearance, in spite of Stapelton's repeated protests, of the "Deptford" ketch as the sole representative of British naval force. "It is my duty to be as silent as satisfied with what is sent," wrote Stapleton calmly, though with such bitterness as may be guessed. In truth his patient patriotism during these trying times entitle him to an honourable place in British Colonial history, should that history ever be written. The eternal menaces of the French fleet meant not only incessant hard work but immense pecuniary loss to the Islands. Stapleton reckoned it in 1678 at a million of sugar per week (687); yet he kept his government in good heart and good order; and the Councils of the Islands in their letters begged that whatever happened he might remain with them as Governor. His troops, as we have seen, were unpaid; the resources which should have been available for him were diverted by the King; he himself was the King's creditor for many years of arrears of pay for which he pleaded so often in vain that he was obliged at last to give a modest account of his services in war to show that "without vanity he deserved his pay as much as anyone" (1557). Yet he never lost heart. The amount of business which he contrived to transact was enormous. Apart from ordinary administration and preparations for defence he was constantly engaged in negotiations with the French; and it fell to him also to withdraw the derelict English from Surinam and superintend the restitution of St. Eustatius and Saba to the Dutch. Yet he wrote out all the statistical particulars of the Leeward Islands (1418) with his own hand, judging it derogatory to the

dignity of the Lords of Trade and Plantations that such a duty should be entrusted to a clerk. It is refreshing to encounter at such a time so fine a type of quiet courage, resolution, resource and devotion, as that presented by William Stapleton. The example was not lost upon general officers in the West Indies in the desperate year 1795.

Barbadoes.

Governor Atkins.

I turn now to another Island and another Governor, which offer us a study of a different though not uninteresting kind. Sir Jonathan Atkins, who had arrived in Barbadoes as Governor in 1674, had drawn censure upon himself from home by his disapproval of the Acts of Trade and Navigation, and his partiality for free trade (*see* previous volume, 1179); and it is evident from his early letters in 1677 that he was somewhat uneasy as to his position (11). He had found the Island distracted by two factions, and having reconciled these and called an Assembly, he discovered that the planters were at variance with the English Government on two principal subjects—the misbehaviour (as they judged it) of the Royal African Company, which enjoyed the monopoly of the supply of slaves, and the extortion of the farmers of $4\frac{1}{2}$ per cent. duty levied for the service of the King (11). As both of these interests were particularly favoured by the English Government, the difference resolved itself virtually into a dispute between Colony and Mother Country; and Atkins threw in his lot with the Colony. The Board of Trade and Plantations was, as we have already seen, busily gathering information respecting all the Colonies with a view to more decided interference in their affairs, and, as it seems, with the hope of gathering more from them for the Royal Exchequer. This information Atkins, either from laziness, or from fear of trouble with the Barbadians, or from opposition

to the policy of the Board, or, as is most probable, from a combination of all three causes, was most unwilling to furnish; in fact he said flatly that it was impossible to supply it (11, 187). Most unfortunately, however, there was a certain number of West Indian merchants, who claimed to speak as the representatives of Barbadoes, and were constantly haunting the Colonial Office (as we should now call it) with requests and recommendations which, though sometimes undoubtedly for the good of the Colony were, consciously or unconsciously, prompted mainly by consideration for their own interests. The administration of the West Indies has long been divided between three contending powers, the actual inhabitants on the Islands, the merchants at home, and Exeter Hall. The student can trace in the present volume the first two in full and active operation, and early symptoms of the rise of the third.

His quarrel with the English Government.

The first passage at arms between the Governor and the Board arose out of the danger of a French war. The merchants, doubtless, in terror for their investments, represented that Barbadoes was short of weapons (231); the Board, therefore, although Atkins had expressly declared that there was no occasion for it, ordered the despatch of fifteen hundred pikes (248, 259). The Assembly on receiving intimation of this resolved that the fifteen hundred pikes were wholly useless to the Island, and would be a great and unnecessary charge; and moved the Governor to buy twelve hundred plain firelocks, "after the French work, about the value of twenty shillings each," and two hundred carbines (397). Such outspoken, though well deserved, contempt for military opinion in England must have been galling enough; but the matter did not end there. Atkins seized the opportunity to make vehement complaint that the

Board should have taken action on the advice of merchants without the consent of himself and his legislature. Pikes, he said, were useless, as there was a worm in Barbadoes that destroyed English wood. The Island was bound by charter to pay for its own armament, and the people begged that they might be allowed to select it for themselves. Merchants of the Exchange, the Royal African Company, and others, took upon themselves in some measure to be Governors of Barbadoes, and he had thus so many masters that he did not know whom to please; it were to be wished that these gentlemen, and especially Sir Peter Colleton, would move in their own spheres for the future. He complained also that places of profit were given away by Patent, a subject to which I shall presently recur. Finally, he flatly refused to give some of the information on military matters that was required of him. "The strength and "weakness of a place so important as Barbadoes should "[he said in effect] be kept secret. No doubt your "Lordships are entrusted with many more important "secrets, but the King has appointed me his Captain-"General here, and I am responsible with my head for "the safety of the Island (403)."

Irritation in the Island.

The letter was audacious and free-spoken enough, but its tone was supported, so far as concerned the interference of the merchants, by both the Council and the Assembly. Additional irritation was caused in Barbadoes by the arrival of a travelling Englishman with a copy of the heads of information issued by the Government. This gentleman, Sir Thomas Warner, a prototype of the modern tourist, had received some kind of vague request from Secretary Coventry to note down any intelligence that might be useful to the Board, and had apparently allowed the heads of inquiry to become public property,

thereby creating much suspicion among the ever suspicious Barbadians. Atkins, to whom he confided his thirst for military intelligence, told him that if he had attempted to satisfy it, he would have hanged him for a spy, and intimated as much to the Board of Trade and Plantations (422). It is hardly surprising that the Board somewhat resented the lofty tone of Atkins, but it had put itself so completely in the wrong that it was obliged to return a soft answer. Meanwhile it did not improve its position by summoning the Speaker of the Assembly, William Sharpe, to England, to answer a charge preferred by the hated Royal African Company, of illicit trading in negroes (266, 498). The Assembly deprecated such arbitrary measures, with the remark that inhabitants of such extreme parts of the King's dominions, if removed to England for trial, must inevitably be ruined whether they were innocent or guilty (p. 191).

Governor's position weakened.

Nevertheless, the Board was not disposed to yield altogether to Atkins; and it found, amid all its many complaints against him for withholding information, good ground of censure in the persistent difficulties which he raised against the transmission of the laws of Barbadoes. Atkins, on his part, remained as insubordinate as ever, as his next important letter sufficiently shows (592), and now fought the English Government on another issue. The Board had, in the prevailing zeal for religious toleration which was just now encouraged in England for the Duke of York's sake, fallen foul of certain penal laws against the Quakers. Such laws were undoubtedly reasonable, for the Quakers not only refused to take their share in the defence or even the fortification of the Island indeed, a Quaker in making a map of the Island, had declined to mark either churches or forts—but encouraged a disorderly spirit among the negroes by

inviting them to their meetings. This, considering the frequency of negroes' rebellions, was a most serious danger. Atkins, on this point again, was right and his masters wrong, but in virtue of his correctness he assumed too imperious a tone. The Board clamoured more and more for a complete list of laws, and then Atkins began to shuffle and prevaricate. At the opening of 1679 moreover a party in the Assembly sent one of its members, Colonel Drax, to join the very merchants of whom the Governor had complained, in independent negotiation with the Government; and from that moment Colonel Drax and Sir Peter Colleton became, in Atkins' own phrase, the Governors of Barbadoes (969). They took upon themselves to settle the whole difficulty of the 4½ per cent. duty by offering to take the matter out of the hands of the farmers and make the King a larger payment, and they even took credit to themselves for saving the ancient constitution of Barbadoes. Thus, the Assembly being no longer united at his back, the Governor's position became very unstable.

Atkins recalled.

Through the complaints of the farmers, as it happened, the Board discovered that Atkins had not furnished them with copies of all the laws of Barbadoes (1023). It sent him thereupon two despatches (1074, 1079) which show that it was rapidly coming to the end of its patience. Atkins's reply was in his old tone—"My Lords, I must "finish with a request that you will please to consider "me as the King's Governor here. That you are "pleased to put the opinion of merchants and people "that are concerned in this Island in balance with me— "'tis something hard to bear, as your letter expresses— "they tell you their own interests, and it may be not "the King's, which when 'tis required I will faithfully "do." The principle which he here enunciates is so

sound, and has so often been neglected with disastrous results, that it is distressing to find it employed for purposes of subterfuge. The Board now cut matters short by saying plainly that, unless Atkins obeyed orders he would be superseded (1270); and thereupon Atkins wrote a long letter of defence, and enclosed with it at last the answers to the Board's heads of inquiry. These documents have a remarkable interest for their picture of the Island's condition and of its peculiar system of hand-to-mouth legislation (1334, 1336), and not less for its examples of the intense suspicion which is still characteristic of the Barbadians at large. Thus Atkins was put down as a traitor who designed to sell the Island to the French simply because he was able to speak the French language; and he explains that he was obliged to consent to a certain enactment because if he had even hesitated he would have passed for "as arrant a papist as ever was hanged at Tyburn." His defence, however, availed him little. Every statement of his was checked by inquiry of the merchants in London (1386), and it was plain that he lay at their mercy. A second long letter of defence (1362) was followed by a second curt letter of censure (1427), and three weeks later the Board decided to recall him, and appoint Sir Richard Dutton to be Governor in his stead (1469).

The results of the struggle.

The Board now gave the methods of administration in Barbadoes more serious attention. Their ignorance of the existing system is shown by a list of questions as to the actual power of the Crown in respect of legislation in the Colony; and the general vagueness of the Governor's powers is proved by Dutton's request for special authority to deal with refractory members of the legislature, and to pass laws without the sanction of

the Assembly (1505). These proposals were fully in accordance with the general policy of the English Government at the time, but the subject will be more conveniently discussed in a later page. We therefore part with Barbadoes with Sir Richard Dutton's projected departure for the Island at the close of 1680 (1610). The story of Atkins' supersession is only that of the first of many contests between the local legislature and the English merchants for supremacy in the administration, wherein the victory, in consequence of the defection of a part of the Assembly, lay with the merchants. The part played by the element now known as Exeter Hall shall be dealt with presently.

Jamaica.

Controversies with the Home Government.

I pass now to Jamaica, the island round which is centred the principal interest of this volume for the student of Colonial history. Already in the previous volume (986 I.–IX.) we find the Governor, Lord Vaughan, with the Legislature at his back, in controversy with the English Government over the admission of a Receiver of the King's dues, one Thomas Martin, who had been appointed by Letters Patent to the authority thereby imposed on him. Not only did Vaughan obstruct him in the discharge of his duties, but the Legislature passed an Act transferring certain moneys formerly payable to the King from his service to that of the Island. We have already seen Sir Jonathan Atkins fighting against the Crown in resistance of the same encroachments, and we shall now see the quarrel between Crown and Colony widen itself to a battle all along the line in attack and defence of what is now called Home Rule.

Quarrels of Governor and Assembly.

We may pass by the dispute over Martin's Patent with the remark that in defiance of the Royal instructions he was not only denied his rights by the Jamaicans, but

thrown into prison, where he remained, once more in defiance of repeated Royal orders, for nearly a year until finally released in 1678 (650). Meanwhile, the Legislature of Jamaica had been summoned, and the Assembly had fallen out with the Governor and Council over an Act of Privileges, which secured to the Island the benefit of the laws of England (208, 209); while both Houses had run foul of the King's Commission to the Governor respecting the command of the Militia, of his instructions in favour of the Royal African Company, and, in fact, of the Royal wishes at large. Trouble was brewing fast. The Council were, most of them, "old standers and officers of Cromwell's Army," whom the Governor had no power to suspend; and their discipline was by no means perfect. A great and inveterate evil in Jamaica was the privateers who not only caused endless trouble with foreign nations, but led away rich and poor alike from steady work and honest enterprise. Vaughan tried hard to suppress them, but in vain, for many of the Legislature, particularly Sir Henry Morgan and one Robert Byndloss, were interested in their success; and matters came to a climax when the Assembly interposed to exert the prerogative of mercy and prevent the execution of a condemned pirate. Vaughan, however, was firm; the culprit was hanged, and the Assembly dissolved (August 1677, *see* 365, 375, 383). A new Assembly was called in September, of which we hear little, though as it voted 1,000*l.* to the Governor we may suppose that its humour was less recalcitrant (398, 402). Lord Vaughan remained in the Island until March, 1678, when he returned to England a poorer and sadder man (622, 646).

Poyning's Law for Jamaica.

But while these matters were going forward in the tropics the Board of Trade and Plantations had been extremely busy with the affairs of Jamaica at home.

After long neglect it had been decided to examine certain laws of Jamaica which had been sent home by Lord Vaughan in 1675, and which, being valid for but two years, would require renewal. Even while the Assembly of Jamaica was fighting with the Council for the Act which declared the laws of England to be in force in the Island, the King's Attorney-General was considering how far the enactment was consistent with the King's right of dominion. Further, and here we see the ground prepared for the coming contest, he was ordered to prepare a Bill, modelled on Poyning's Law in Ireland, directing the manner of enacting, transmitting, and amending the laws of Jamaica by the King in England (206, 226). The work went rapidly forward. Lord Carlisle was ordered to prepare to go to Jamaica to carry out the new policy (395). The laws as received from Lord Vaughan were amended; the style of enactment was altered from the "Governor, Council, and Assembly, &c." to the "King by and with the advice &c., of the Assembly"; and much debate took place over the Commission and Instructions for the new Governor (457, 474). Sir Thomas Lynch who knew Jamaica well by experience, counselled moderation (465), and even the members of the Board hesitated for a time as to whether they should not avail themselves of sharp practice, rather than arbitrary authority, to obtain an Act granting perpetual revenue, which was one great object of the new departure (461). But on the whole the Lords decided to weave all their designs into the new scheme of Government, and to curb once for all the headstrong Assembly of Jamaica, which had so recently shown signs of taking the bit into its teeth.

ord Carlisle
carry the
ew policy.

By November the programme was complete. Jamaica was henceforth to be governed according to Poyning's law. No Assembly was to be called in future, except in case of

invasion, without the King's special directions; the Governor was empowered to remove refractory members of Council and appoint others in their stead, and forty ready-made laws modelled on those sent by Lord Vaughan, were passed under the Great Seal and entrusted to Lord Carlisle to be laid before the Jamaican Legislature. A perpetual Bill of Revenue, providing among other things for the safety of the King's Receiver, which had been imperilled as we have seen in the person of Thomas Martin, was among them. Equipped with these powers (480, 641), and strengthened by a force of two companies of English troops and a large quantity of stores Lord Carlisle sailed for Jamaica, after infinite delay, at the end of April or beginning of May 1678 (693).

The new policy rejected.

After a long passage, wherein he suffered much from gout, he landed at his destination on the 18th July. He had lost, we may note, but two of his soldiers on the voyage, a very small mortality in those days, and those "from excessive drinking of water." The red coats were welcomed to overawe the negroes, who just then were "very outrageous." On the 19th he produced his batch of laws and summoned an Assembly for the 2nd September; but even before its meeting he reported dissatisfaction in the Council over the new policy. Indeed, according to his own account, he had anticipated trouble while it was still under debate in England. The Assembly met, received the Bills in instalments, and proceeded to discuss them in a spirit of criticism which soon resolved itself into a spirit of rejection. The next incident was a quarrel between the Governor and the House, because the Clerk refused to communicate to His Excellency the Assembly's reasons for throwing out the Bill of Revenue. The matter ended in Carlisle's threatening to lay the Clerk by the heels unless he produced them by six o'clock next morning.

The Governor then tried conciliation, but without success, and finally the whole forty Bills were uncompromisingly thrown out. With great difficulty Carlisle prevailed upon the Assembly to pass a Revenue Bill to provide money for the next twelve months, the members only after a struggle consenting to use the new style "by the King" in place of "by the Governor." This done he dissolved it (12th October). The reasons alleged by the Assembly against the Bills were mostly frivolous, the weightiest being that they had not been compared with the later batch sent over by Lord Vaughan in 1677; but the resentment against the new system was insuperable. The members would not part with their deliberative power though Carlisle might charm never so wisely; and the Governor finally wrote home that he agreed with the Assembly in the opinion that distance from England rendered the Irish system impracticable in Jamaica (*Lord C's. letters*, 779, 794, 814, 816, 827, 832. *Journals of Assembly* 786, 806, 1648).

The English Government ries coercion.

The Board, on hearing what had passed, was not a little disturbed, for apart from the rejection of all its Bills, Carlisle had transmitted for the Royal assent six Acts containing provisions, particularly in respect of the extension of the laws of England to Jamaica, which directly set at nought all its previous determinations. After short consideration it decided to fight the matter out, and if the Assembly still proved stubborn, to reduce the Island to the Military Government established by Colonel Doyley after its original capture by the expedition sent out by Cromwell (954). After some difference of opinion, due possibly to the influence of Halifax, it presented a report on the whole question dated 28th May, 1679, (1009), which was at once a summary of the dispute and a refutation of the

Assembly's objections. Nor can it be denied that this refutation was very able and complete not only in defending the King's position, but in delivering a counter attack on the Assembly's encroachments, particularly in respect of the prerogative of mercy. The one weak point was that which concerned the crucial question, namely, the applicability of Poyning's Law to a West Indian Island. It was evaded by a vague assertion that what was good enough for Ireland was good enough for Jamaica.

Carlisle adverse to the new policy.

The report was duly forwarded to Lord Carlisle with a letter of censure on various small points. He, like Atkins, had been furnished with a number of heads of enquiry to which to supply answers, but so far he had failed to do so; and it is noteworthy that as regards military information he raised the same objections on the score of secrecy that had been adduced by Atkins. This, however, was a small matter; it is more important to note that before the letter of censure reached him he had fully made up his mind that the new policy would not be accepted by Jamaica and must be abandoned; and he sent Sir Francis Watson to England to urge his views upon the Board of Trade and Plantations (1030, 1096). A new Assembly met on the 19th August, and the Governor frankly told them what he had done, adding that if Watson failed he would go himself. The House voted him six months' supplies, and then at once came to loggerheads with him about the examination of the Receiver-General's books. The members contended that they had a right to investigate the accounts; the Governor denied it; and as the Receiver-General was the same Thomas Martin who had made himself obnoxious to the Assembly before, the whole irritating question about officials appointed by Letters Patent was

re-opened (1098, 1099, 1103). The alarm caused by the appearance of the French fleet then drove the whole of the legislature from the council to the camp, and the Parliament was prorogued till 28th October (1104). It is, we may note in passing, somewhat comical to find, among the objections transmitted through Watson to England, that Jamaica like Barbadoes was further advanced in the choice of military weapons than the military authorities at home (1141).

Embitterment of the quarrel between Governor and Assembly.

During the interval Lord Carlisle seized the opportunity to appoint one of his own servants to be Clerk of Assembly, in order that he might be the better informed of its proceedings (1129); but the wrangle thereby caused did little to further the objects of the Board of Trade and Plantations. The Assembly again threw out all the English Bills, and answered all his expostulations by an address criticising some of them in detail and deprecating the new policy as a whole with considerable freedom. Not content with this, it also vehemently urged the Governor to suppress privateering, an action which, considering that it had baulked his most strenuous efforts in that direction, was a deliberate piece of impertinence. The moving spirit behind this Address was one Colonel Samuel Long, who had acted as Speaker in late years and was also Chief Justice of the Island; and it was against him that Carlisle now turned. His reputation was not altogether spotless (*see* previous Vol. 1665. 837, 934, 962), and it was now discovered that he had erased the King's name from the last Bill of Revenue transmitted by Lord Vaughan in 1675 after it had passed both houses. Carlisle, adding this to his other delinquencies, dismissed him from his post of Chief Justice and suspended him from the Council, a strong measure which decidedly sobered the Assembly. He then announced his intention of

sending him and others of the recalcitrants home, that the whole matter might be cleared up once for all (1188, 1189, 1199).

Vacillation of the English Government.

Meanwhile the Board of Trade and Plantations was taking advice from former Governors (1234, 1239) as to the actual position of the Crown towards Jamaica, evidently with the object of denying altogether the constitutional privileges claimed by the Island. The question even of the King's right to Jamaica by conquest was raised, so strong for the moment was the inclination to a high-handed solution of the difficulty. The merchants of Jamaica, however, joined the Island in complaints of the new policy (1259), and the Board hesitating between wrath and fear vented its feelings in captious criticism of sundry petty details of Carlisle's action (1269, 1318), and after recapitulating the proceedings of the Assembly came to the lame conclusion that upon the whole matter an apology was due to the King. Then following up its aggressive mood it submitted to the law-officers of the Crown the question whether Jamaica really possessed any rights whatever beyond those that the King might think fit to concede (1323, 1347, 1405). Matters were finally cut short by the departure of Lord Carlisle from Jamaica with the culprit Long in his charge (May 1680 (1370)).

The quarrel settled in England.

He arrived in England early in September, and on the 16th formulated his charges against Long, which amounted to three: (1.) The erasure of the King's name from the Bill of Revenue aforesaid; (2.) The attempted release of the condemned pirate Browne; (3.) General contumacy towards the King's orders (1509, 1512). The subsequent proceedings may be briefly told. After some discussion of the whole question by the light of the past history of Jamaica (1540, 1550, 1561) the dispute was settled by the mediation of Chief Justice North. The new policy was

abandoned; and the constitution of Barbadoes, differing little if at all from that for which the Jamaicans contended, was granted to Jamaica, together with virtually every other concession for which they asked. In return the Assembly pledged itself to grant the King a fixed revenue, which, if not perpetual, should last at all events for seven years. The liberties of Jamaica were saved, and Samuel Long was the Hampden who had saved them (*see* Instructions to Lord Carlisle, 1571, 1572).

Jamaica follows up her victory.

But the champions of Jamaica did not stop there. They pursued their success by submitting a further programme of reforms, embracing practically the removal of all the grievances which have been touched on in the course of this prefatory sketch. First and foremost came the question of privateering, which all parties, whatever their secret thoughts, outwardly agreed to be the curse of West Indian trade. The Council of Jamaica had complained strongly of these "ravenous vermin" (1361), and no one had been latterly more sweeping in his condemnation than the veteran buccaneer Sir Henry Morgan (1425, 1462). The Board of Trade and Plantations had busied itself not a little with the question of legislation against piracy (601, 606, 607, 611), but the true means of suppressing the evil was the maintenance of an efficient English fleet in West Indian waters, and this, as we have seen in the sketch of the Leeward Islands, was a difficulty in the days of King Charles the Second. The request was shelved by referring it to Chief Justice North and Secretary Jenkins (1622). The next grievance took the form of a violent attack on the Royal African Company, its monopoly of the negro-supply, and its oppression as a creditor. This again was not only a Jamaican but a West Indian matter. Barbadoes had taken measures for its own protection, to the great indignation of the Company, but the Leeward Islands

were loud in their complaints (pp. 573, 575, No. 1454), and the Board was fain to put pressure on the monopolists to force them to concessions (1583, 1622). The point is of interest, for the West Indies have passed their whole life in similar struggles against monopolist firms of a similar kind.

Appeals from the Supreme Court.

A third request was for allowance of appeals from the Supreme Court of Jamaica, and for permission to apply public money to the payment of a solicitor to represent the Colony in London. The question of appeals arose out of the case of one Francis Mingham (*see* Index), who had been imprisoned in Jamaica for a breach of the Act of Navigation, but was summarily released by the Board against the representations both of Governor and Council. The Council, while submitting, protested strongly against the reversal of the judgment (1577, 1585), and indeed, on the evidence before us, the action of the Board, though supported by Long and his party, seems to be wholly indefensible. The most interesting feature in the controversy is a letter drawn in the course of it from old Sir Henry Morgan, who as Judge of the Admiralty Court had been reponsible for the case: "The office of Judge " Admiral was not given me for my understanding of the " business better than others, nor for the profitableness " thereof, for I left the schools too young to be a great " proficient either in that or other laws, and have been " much more used to the pike than to the book; and as " for the profit, there is no porter in this town but can " get more money in the time than I made by this trial. " But I was truly put in to maintain the honour of the " Court for His Majesty's service." Juries would not convict in such cases. A cargo of soap had been seized in pursuance of the Acts of Trade and Navigation, but a witness had sworn that soap was victuals and that a man might live on it for a month, and the jury had thereupon

found for the defendant with costs. The point is worth noticing as a further example of the opposition, which we saw so rampant in New England, against the Acts of Trade and Navigation.

Her triumph sufficiently complete.

Lastly, the gentlemen of Jamaica made a final attempt to limit the Governor's powers in respect of suspended Councillors, with the evident design of preventing a repetition of Carlisle's treatment of Long, but this was asking too much, and they were only rebuked for their pains. Nevertheless, their triumph on the whole was sufficiently complete.

The Church and the West Indies.

I have hinted before at the growth in England of the particular influence which is now comprehended under the name of Exeter Hall. Its origin, I need not say, is to be traced to the Church. The activity of Compton, the Bishop of London, towards the Church in the Colonies may be judged from his representations respecting the ministry in America (337–9, 348–9, 881) and in the West Indies (1484, 1488, 1522). The six ministers whom he had sent out to the Leeward Islands were not, indeed, shining lights, for we find the Council of St. Christophers begging that the next batch might be of riper years and better read in divinity, so as to be able to foil the Roman Catholic clergy in argument in case of need (p. 572). But we see him showing zeal of a different kind in behalf of the negroes when he pleads for their admission to the Christian religion. Considering that the principal question between the Colonies and the Mother Country in respect of negroes was whether they were "goods or commodities" within the meaning of the Act of Trade, his persistence in urging this charitable design deserves to be remembered. In the West Indies as in New England the planters objected to it as destructive to their property and dangerous to the Islands (1535), and Maryland alone set a finer example.

The Board of Trade and Plantations Reforms.

Finally, a word must be said of the Board of Trade and Plantations, and its progress in the work of administration. First, we must notice its reconstitution by Order in Council of 22nd April 1679, with the list of its members (677). The names show an array of administrative talent that is by no means contemptible, but it is noteworthy that those of Halifax and Edward Seymour, two of the ablest of them, are rarely found at the end of a Report. The working man of the Board was evidently Henry Coventry. Next, we must mark the correspondence a notable stage in the advance of official routine. Governors had been so lax about correspondence that an order was needed to enforce attention to the same. The circulars issued for the purpose, not only to Governors, but to Colonial Secretaries and Clerks of Parliament, will be found at Nos. 1261–1263, of 14th January, 1680, from which day we may date the rise of those Quarterly Returns, which are still carefully prepared in the Crown Colonies, and as sedulously neglected by the Colonial Office. It will be interesting to see how soon the Board of Trade and Plantations adopted the present plan of persistently writing to the Colonies for information which is already to its hand in the Quarterly Returns. Nevertheless, even the growth of routine shows progress in administrative organisation and deserves honourable notice. Another standing order, respecting the absence of Governors from their Colonies, dates also from 1680 (1573); the occasion will probably prove to be Lord Culpeper's unexpected departure from Virginia in that year, though his absence would appear to have been sanctioned by his instructions already quoted. A proposal to establish a Colony at Demerara (714, 771) may also find a place in a reference to the general work of the Board.

Offices held by Patent.

The next point that calls for remark is an inquiry instituted into the tenure of offices in the Colonies at

large, a piece of good work which was due to Secretary Coventry (p. 440, No. 1204). We have already seen the complaints preferred by Sir Jonathan Atkins against the granting of offices by Patent, and the quarrel that arose in Jamaica over the functions of the Patentee, Thomas Martin. Martin's was no isolated instance, and the imposition of these officials and their deputies on the Governors was a constant source of irritation. Sir Jonathan Atkins on receiving his cue to speak adduced instance after instance of the most flagrant kind. The passage is too long for quotation, but will be found on page 535, and is worth study. The Governor, Atkins complained, forfeited 1,000*l*, and was declared incapable of serving the King if anything went amiss in the Naval Office, yet an official was imposed on him from whom and from whose deputy he could not obtain security. Again, "The last Patent was brought me by one "Mr. Binkes, who is deputy's deputy to two persons "whom I never heard of before." Lord Carlisle's opinions were hardly less forcible, and the Board of Trade and Plantations took care to guard against further recurrence of the abuse in Barbadoes by a clause in Sir Richard Dutton's instructions. Moreover, the whole question of offices in the Colonies was made the subject of inquiry.

Increasing interference of the Board in Colonial affairs.

For the rest the general policy of the Board during the four years under review was emphatically one of direct interposition in the details of Colonial administration. How far this was dictated by the King's general attitude towards the Government of his subjects at large, and by his hope of increasing his revenue are questions too wide to be discussed here. But beyond all doubt the condition of the various Colonies called aloud for the stronger exercise of the authority of the Crown. It is customary since the loss of the American Colonies to

deprecate the interference of the Mother Country in the internal affairs of her children beyond sea, and it is therefore probable that the recalcitrance of New England and the successful resistance of Jamaica may appear matters to be glorified at the expense of the Board of Trade and Plantations. It is too readily assumed that the rebellion of any dependency carries with it its own justification. The bare fact that Ashley, Arlington, and Lauderdale were of the Board of Trade and Plantations in 1677–1680, might seem sufficient reason for damning the English Colonial policy without further inquiry. But, on the other hand, the various settlements show themselves in the present volume to have been for the most part unfit to manage their own affairs. The ceaseless wrangles of the New England Colonies, their harsh treatment of the Indians, which had been the origin of the Virginian rebellion, the high-handed dealing of the dominant cliques, whether political as in Virginia, or religious as in Massachusetts, and the general bitterness of their sectarian animosity, made the lives of many of the settlers a burden to them. The chartered companies again showed themselves alike in Bermuda, in Newfoundland, and in the West Indies, to be grasping and oppressive. The white oligarchies in Barbadoes and Jamaica, moreover, were then, as always, divided between fear and hatred of their negro population, which throve better than the whites under a tropical sun. In Maryland alone was there peace and goodwill among all sects of the white and all races of the coloured, and it is of Maryland accordingly that we hear the least. In all the other Colonies the Board of Trade and Plantations was compelled to interfere, and in every case it found itself confronted by dishonesty, shiftiness, and prevarication. The despatch of its business was not what we should call rapid in these

days, but on occasions, as, for instance, in the business of Bermuda, of Newfoundland, and finally of Jamaica, it showed abundance of industry, and a general desire to do justice; and where it went wrong it erred principally on the side of excessive moderation. In spite of its first arbitrary intentions in Jamaica it met the Island finally in a conciliatory spirit, and although the enforcement of Poyning's Law seems a ridiculous system for West Indian Islands in those days of slow and precarious communication, yet it must not be forgotten that the measure of self-government then conceded to the West Indies was proved by time to be far too great, that it broke down disastrously, after a far too long existence, within the present generation, and that, though still enjoyed rather in form than in substance at Barbadoes, it has everywhere else been rightly swept away.

In conclusion, I must plead once more the difficulties inseparable from a divided editorship that have compelled me to load this Preface so heavily with references. In future volumes I hope by adding to the Index a few broad headings, such as Administrative, Economical, Naval, Military, and Ecclesiastical, to disentangle from the ravelled skein of merely local detail the principal threads not only of Colonial policy at large, but of the ancillary subjects that are enwoven with it, in order, if possible, to place them more readily in the hands both of general and of special students.

J. W. FORTESCUE.

26th March 1896.

COLONIAL PAPERS.

AMERICA AND WEST INDIES.

1677.

1676–1677.

Feb. 25. St. Christopher's. **1.** Journal of the Council and Assembly of St. Christopher's. Proposals made by the Governor and Council to the Assembly. In reference to supplying the Magazine with powder, repair of the fortifications, encouragement to import provisions and able white servants, and to "take up" dead or live fugitive slaves who commit daily robberies and outrages.

March 3. Answer of the representatives of St. Christopher's consenting to the above proposals and suggesting that an Act be passed offering rewards for the apprehension of runaway slaves, dead or alive. Ordered that the English Commissioners of the National Court confer with the French Commissioners concerning said Act, and also an Act prohibiting negroes from crabbing, for the prevention of destroying sugar canes and housing by fire, for under pretence of crabbing many inhabitants are robbed.

April 3. Proposal of the Council to the Governor to do all he possibly can to prevent His Majesty's subjects from deserting their settlements on this island and resorting to other islands belonging to foreign princes which they have been doing daily, and to recall them to their former settlements; accepted by the Governor and ordered to be forthwith published.

April 24. Proposal of the Governor and Council to the Assembly to erect a fort on Cleverley Hill in the parish of St. Ann, consented to and that the work may be vigorously carried on; an Act to be prepared for that purpose.

April 29. On the motion of the Governor and Council for sending to Tortola for timber for carriages for the cannons, James Laty, Charles Jack, and Robert Worley are nominated by the Assembly to treat with the Governor and Captain Elrington about that affair.

May 9. Ordered that an Act be drawn for regulating the prices of strong liquors, as also the prices of sundry commodities of the growth of this island. Ordered that no liquor be adulterated or one sold for another on penalty of 1,000 lbs. of sugar.

April 3. (*sic.*) That the French having land in the English part of this island who have not taken the oath of allegiance be summoned to do so, according to the Articles of Breda, and upon refusal to forfeit their land to the use of His Majesty his heirs and successors.

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Oct. 9. Ordered that an Act be drawn to take true cognizance of weights and measures in this island and view all provisions imported, and if any be found defective or unsound that they be cast into the sea
1677. or burnt, with power to open any storehouse door.
Jan. 6. This day some affairs concerning both nations in this island were by the "Bench" treated of, and Commissioners sent to M. de St. Laurence to communicate with him.
March 31. That the gunner take from the master of every ship coming to the island a certificate of her tonnage to be entered in the Secretary's office to the end the powder may be exactly collected for the use of the King's magazine.
July 9. Request of the Assembly to the Governor and Council to make Articles of peace and union between the subjects of the two Crowns, inhabitants of this island, which the Assembly promise to ratify, confirm and allow of.
Aug. 2. Ordered that an additional Act be made to the Act for the erecting a fort on Cleverley Hill.
Nov. 29. Ordered that one of the Council, one of the Assembly, a commissioned officer, and two gentlemen of the Troop be weekly at the fort on Cleverley Hill to see the work go forward; also that a capable white man out of each division go with the officer to be at the fort every day in the week. [*Col. Papers, Vol. XXVIII., No.* 69, *pp.* 11–16.]

Jan. 4. Jamaica. **2.** Governor Lord Vaughan to Secretary Coventry. Encloses depositions of some English who have made their escape from the Havanna, and of others whom a Spanish ship robbed in the open sea. Orders should be sent to the Governor from Spain to observe the peace. Divers of His Majesty's subjects at the Havanna kept as slaves, no justification for the Governor's barbarous usage of His Majesty's subjects and his continuing to take all our ships. The people here full of discontent, seeing their hands are tied while others are at liberty to commit any robberies upon them. Piracy committed on Mr. Sheeres. Has given commission to two sloops of four guns each to go as convoy to our small boats. Is advised from New England that they have cleared themselves of the Indians and that the rebellion in Virginia continues. Finds Bacon sent some messengers overland to New England "with large remonstrances of the grounds and reasons for his taking arms." Hears likewise that on the death of Lord Baltimore's deputy in Maryland the planters there have revolted and declared for Bacon, but supposes this report to be merely rumour and raised by those who wish it. 2 *pp. The enclosures to this and another letter of Lord Vaughan will be found abstracted, No.* 21 *of* 28 *January.* [*Col. Papers, Vol. XXXIX., No.* 1; *also Col. Entry Bk., Vol. XXIX., pp.* 122–124.]

Jan. 9. St. John's (Antigua). **3.** Journal of the Council and Assembly of Antigua. Present, Colonel Philip Warner, Governor, "the whole Council and Assembly." Ordered that the following Acts be forthwith passed, viz.: For embezzling of goods under attachment or execution; against

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enticing servants from their masters; to prevent trespassing of cattle; for collecting of powder; against unlawful practise of surgery; for confirming of lands; for damning several titles to lands; against stealing provision and fruits; and against indebted and idle persons living out of a lawful calling. [*Col. Papers, Vol. XXV., No. 55.**]

Jan. 9. **4.** Petition of William Stoughton and Peter Bulkeley, agents for the Massachusetts colony, to the King. Whereas Mason and Gorges lay claim to certain tracts of land within said colony, Mason by indentures dated 9th March 1621, 10th August 1622, 7th November 1629, 22nd April 1635, and Gorges by indentures of 10th August 1622, 7th November 1629, 22nd April 1635, and 17th November 1629 (? 1639), and after diligent search in the Rolls' Chapel and other places where these might be enrolled the indentures cannot be discovered, petitioners being summoned by an Order of Council of 22nd December to a hearing before the Council on the 12th instant cannot instruct their counsel without copies of the grants, and pray that Mason and Gorges be ordered to give copies of their grants. "Read 10 Jan. 1676[–7] and granted." 1 *p.* [*Col. Papers, Vol. XXXIX., No. 2, and Col. Entry Bk., Vol.* 60, *pp.* 191, 192.]

Jan. 10. Whitehall. **5.** Order of the King in Council. Granting the prayer of the above petition and ordering that Mason and Gorges deliver up copies of their grants to petitioners. 1 *p.* [*Col. Papers, Vol. XXXIX., No.* 3, *and Col. Entry Bk., Vol.* 60, *pp.* 193, 194.]

[Jan. 11.] **6.** Petition of Thomas Martin of Jamaica, Merchant to Lords of Trade and Plantations. His Majesty, by letters patent, has granted petitioner the office of Receiver of Customs and other duties due to His Majesty in Jamaica, but Governor Lord Vaughan obstructs petitioner and will not permit him to receive the fees of his office. Prays their Lordships to appoint a day when petitioner may be heard by his Council, and Sir Thomas Lynch on behalf of Lord Vaughan may have notice to attend. *Signed by* Thomas Martyn. "Read 11 Jan^{y} 1677." *Annexed,*

6. I. William Blathwayt to Sir Thomas Lynch. Mr. Martin's agent having by petition renewed his complaint against Lord Vaughan for not suffering him to enjoy the full extent of his patent (*see* previous volume of this Calendar, Nos. 986 I.–XI.), their Lordships will hear Martin by Counsel on Tuesday next when all persons concerned or who may be able to give information in this matter are to attend. The persons likely to appear besides himself are Sir J. Griffith and Captain Molesworth to whom he will please give this notice. Whitehall, 1677, February 2.

6. II. Whitehall. 1677, February 6. Journal of the Lords of Trade and Plantations. Sir Thomas Lynch and Captain Molesworth attend, Sir John Griffith, agent for Jamaica, did not appear. After full hearing of the whole matter

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their Lordships think His Majesty's patent ought not to be evaded as hath plainly appeared in the new model of the Act concerning that island's revenue, for finding by Martin's patent which Sir Thomas Modyford carried over that he was entitled to receive all public monies coming to His Majesty, they change the style of the former Act then renewed making certain moneys payable before to His Majesty to be now payable to the use of the island. And 'tis observed by their Lordships that this single Act is omitted to be sent over with the whole body of the rest, and they see no reason why Martin and Compeare should not be put in full possession of what His Majesty has granted, and they look upon the Governor imposing on them a security of 6,000*l.* to be a severity designed only to frighten them and others from serving by His Majesty's grants, but rather to depend for employment on the favor of the island or the Governor. As to what Martin had declared to Secretary Coventry that he was in fear to act by the Governor's impossible instructions, their Lordships do not at present give any opinion, though they think petitioner under a very great hardship. [*Col. Papers, Vol. XXXIX., Nos.* 4, 5, *and Col. Entry Bk., Vol. CIX., pp.* 292, 293.]

Jan. 11. (Received.) **7.** Petition of Colonel Philip Warner to the Lords of Trade and Plantations. That tidings coming to His Majesty of a horrid and malicious murder [illegible] against the Indians of Dominion of Mason and Gorges to the King. Have denied up copies of the required grants to the Massachusetts agents, notwithstanding the reciprocal was positively denied them. Pray for a hearing to be appointed on next Council day. *Annexed,*

10. 1. Order of the King in Council, appointing 7th February for the hearing. [*Col. Entry Bk., Vol. LX., pp.* 195–197.]

Jan. 22. Barbadoes. **11.** Governor Sir Jonathan Atkins to Secretary Sir Joseph Williamson. Hears he lies under some prejudice in Sir Joseph's esteem, that his crimes are omissions not commissions, but has sinned in neither, that Governor is most miserable who may be condemned and not heard, but is sure that wilfully he has not offended. Begs he will have the patience to peruse some part of the history of his proceedings. Found on his first arrival the people in some distraction, having not been well pleased with the Government of the two late Lord Willoughbys, and that they were divided into great factions since the death of the last Lord when the Government was in the Council. The first thing he had to do was to reconcile the two Principals, then to make the people believe in himself, that he came to obey the King's commands, and having brought them as he conceived into a good temper he called an Assembly, and having had command for his Royal Highness to be kind to the Guinea Company, who complained of the hard laws

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of Barbadoes in favour of debtors, he acquainted the Assembly at their first meeting of this great scandal. They replied they esteemed themselves very unkindly used by those gentlemen, who annually drew from the industry of the inhabitants between forty and fifty thousand pounds sterling, and that they not only scandalized the place to the diminution of their credit, but they sent negroes to Jamaica and other places, and neglected to bring any hither, whereby many of their works lay idle to their great damage and contrary to the covenant of their patent, which grievance the Assembly hoped the Governor would remedy. Told them it was not in his power to relieve them, but that His Majesty's ears were always open to hear any complaint of his subjects. There came a letter from the Lord Treasurer, procured by the farmers of the four-and-a-half per cent., pretending they made their sugar casks bigger than they ought, and therefore that all sugars should be weighed before being shipped, so they have brought in an address to be presented to His Majesty on behalf of the whole island, which as their Governor he could not refuse them. For some time before Governor Atkins came, and a twelve-month after, the Company sent very few negroes, why, he cannot tell, but he never encouraged interlopers, and while he had power and the King's frigate remained he caused them all to be seized. Persuaded the Assembly to repeal the trade law of obstruction to ready recovery of debts, and advised them of overtures by Mr. Buckworth, Mr. Proby, and others "of that Society," that they might sell 3,000 blacks, and have good payment, and that yearly the place [illegible] own consumeen two and three thousand negroes. send on their public account but one ship [illegible] two or three ships but one in two years, to the great loss of the planters. Many strange ships have been licensed by the Governors to carry away tobacco contrary to several Acts of Parliament, regardless of complaints. Pray for the encouragement of navigation, and of petitioners in their trade that His Majesty will direct that free trade be allowed to said islands for His Majesty's subjects, members of said Company, and order the repeal of all laws to the contrary, and that the ship Charles now ready to sail may be enabled to land their goods, and to bring from thence into England the commodities of the island. *Signed by* Perient Trott, Robert Steevens, John Wyse, and George Daye. *Endorsed*, "Read 12 Jan. 1676–7." *Annexed*,

9. I. Affidavit of Thomas Leach, Master of the "Charles" of 100 tons. That said ship is the property of Perient Trott, John Seymour, John Maine, and others, and is laden with manufactures of this kingdom, for supply of the wants of the inhabitants of the Bermudas. Is informed that by an order of the Company in London if any ship presume to land any goods there, said ship and goods shall be seized and confiscated, which is the sole hindrance of his voyage. 1677, January 12.

9. II. The answer of the Somers Islands Company to the above petition addressed to the King. That for several years

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they traded in a joint stock, and then for the convenience of Members leave was given to trade with their own private stock, but still they always managed that trade in the Company's general or magazine ships. That the Company have made the byelaw referred, and also another byelaw that no member of the Company shall trade with any private ship for tobacco, and freight them there before the magazine ships are fully freighted, which they conceive according to law, and beneficial to trade, and the very being of said Company. That the magazine ship is sufficient to bring home the crop of tobacco in said islands, it being seldom or ever fully freighted, and that Trott has the same liberty as other members of the Company to send out his goods and lade his tobacco in said ship, she not being a quarter laden. Pray therefore that the petition be dismissed. *Endorsed,* "Read in Council, 17 Jany 1676–7." *N.B.*—The above Petition and Answer are printed in Lieutenant-General Sir J. H. Lefroy's Memorials of the Bermudas, Vol. II., p. 449, and at p. 459., we find in Extracts from a General Letter of the Company, dated 1st October 1677, that Samuel Trott had arrived at Bermudas in the "Charles," and moved for liberty to carry away tobacco. "We approve and take well and thank you that you did not allow and if so suppose he will have little cause to brag of his voyage." [*Col. Papers, Vol. XXXIX., Nos.* 8, 8 I., II.]

[Jan. 19.] **10.** Petition of Mason and Gorges to the King. Have delivered up copies of the required grants to the Massachusetts agents, notwithstanding the reciprocal was positively denied them. Pray for a hearing to be appointed on next Council day. *Annexed,*

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Jan. 22. Wiccomonico, Maryland.

12. Governor Thomas Notley to [Lord Baltemore ?]. Early in December last the Senecas and Susquehannahs had a "small encounter" at Jacob Young's house; has taken the most effectual care for the security of Baltemore and Cecil counties, and sends four original letters received from the head of the Bay relating to it, and copies of his orders to Stamby and Well for their regulation in their jurisdiction (*all these enclosures are missing*), which he sent to the Chancellor for his approbation, and his own opinion how to proceed and treat with or against all manner of Indians as soon

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as the spring approaches, or we shall be surprised by them. Shall take all imaginable care to be at peace, especially with the Senecas, they being the greatest and most considerable nation, and a league with them will occasion security from the Deleware or Marquas Indians, especially if those two nations war against each other, then the Marquas will not make their usual excursions and invade us, otherwise they may, especially if they confederate with the Susquehannahs, both nations being the bloodiest in all these parts of America. The Piscattaways and small nations thereabouts, also the eastern shore Indians, all neighbourly and quiet, and has no reason to expect them otherwise. The last public levy was 297 lbs. (of tobacco) per poll, and the great levy the year before has given occasion for malignant spirits to mutter, and may cause some to mutiny, "for the common people will never be brought to understand the just reason of a public charge, or will they ever believe that the expense is for their own preservation." Since General Davis and Pate were hanged the rabble (?) have been much appalled. Now enjoy peace among themselves, though never body was more replete with malignancy and frenzy than our people were about August last, and they wanted but a monstrous head to their monstrous body. The greatest revolution has occurred in Virginia affairs, for as their rebellion was grounded upon madness and folly, so the wheel has turned again as wonderfully and swiftly in the submission of all the chief rebels to Sir William Berkeley, Ingram the titular General who succeeded Bacon, his Lieutenant-General Watlett, our noble Captain *alias* Colonel Bremington, and all their men, but three rebels of note stand out, the bell weathers of the rest during the whole rebellion, Lawrence, Drummond, and Arnold, and they expected to be taken dead or alive, so that Berkeley is once more established in his government. Fears when the warm weather comes it may produce another swarm that may have as venemous stings as the late traitors had, especially if no ships from the King arrive with some persons to settle affairs in Virginia in better order than those now in power can do. There must be an alteration not of the government but in the government, new men must be put in, the old ones will never agree with the common people. Are all in a maze, no King's or other ships have arrived from London. The Indian in Virginia as bold and rampant as ever, advice from Colonel Spencer that they have in 14 days killed 35 English, and believe if peace is not made there will be as great a slaughter as ever was, at least 500 of His Majesty's subjects have been murdered within twelve months. Has granted Colonel Spencer a license to treat with our Matawoman Indians to go after those Indian murderers. 4 *pp.* [*Col. Papers, Vol. XXXIX., No.* 10.]

Jan. 23. **13.** Journal of Assembly of Barbadoes. Election of William Sharpe as Speaker, every member present giving in a paper with the name of the person he desired. The Committee appointed for inspection of the laws will perfect their business against next sitting. The House considered of a short adjournment and

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acquainted the Governor and Council. A Bill for securing the possession of negroes and slaves returned from Governor and Council for amendments, which the House think fit to lie under consideration till their next meeting. Adjourned till this day four weeks, *see* Feb. 20. [*Col. Entry Bk., Vol. XIII., pp.* 240, 241.]

Jan. 24. **14.** Warrant from Governor Sir William Berkeley to the Sheriff of Surrey County. To seize the estate of Robert Kay and send over his sheep to the Green Spring. With certificate of Samuel Swan that in obedience to same he did seize and inventory said estate on 30th January 1677. [*Col. Papers, Vol. XXXIX., No.* 11.]

Jan. 25. Whitehall. **15.** Journal of the Lords of Trade and Plantations. Two reports from the Commissioners of Customs read concerning the "True Love," John Henman, master, and the "Olive Branch," both of Bytheford (? Bideford), gone on a fishing voyage to Newfoundland. Ordered that they be transmitted to Samuel Pepys, so that passes be granted to them. Petition read of John Downing, an inhabitant of Newfoundland, praying their Lordships to take his business into consideration, they will in Council that a full Committee meet on this matter. Letter received from Colonel Stapleton, Governor of the Leeward Isles, of 22nd November last (*see previous volume of this Calendar, No.* 1150), desiring their Lordships' assistance in procuring arrears due to his Government of Nevis, a future fund, recruits, a public seal, arms and ammunition, and the use of a frigate, with his pay due to him as Lieutenant-Colonel of Sir Tobias Bridge's regiment, also 581*l.* 14*s.* 8*d.* due to the two companies at St. Christopher's from Sir Charles Wheler, promising a map of Antigua with all speed, and giving a particular answer to Heads of Enquiry sent 14th April 1676. [*Col. Entry Bk., Vol. CIV., pp.* 285, 286.]

Jan. 25. **16.** Petition of John Downing, gentleman, inhabitant of Newfoundland, to Lords of Trade and Plantations. Refers to his petition of November last, imploring protection to secure himself and family from the outrages from which they have suffered in Newfoundland (*see previous volume of Calendar, Nos.* 1120, 1159, 1160), and prays their Lordships to commiserate his condition so that he may speedily obtain relief and prosecute his voyage. "Read 25 Jan. 1676–7." *Annexed,*

16. I. Order of the King in Council. Referring Downing's petition to the Lords of Trade and Plantations for their report as to what they conceive fit to be done for petitioners relief. Whitehall, 1677, Feb. 21. [*Col. Papers, Vol. XXXIX., Nos.* 12, 12 I.]

Jan. 26. Jamaica. **17.** Warrant from the King to the Attorney or Solicitor-General to prepare a Bill to pass the Great Seal containing a pardon to Captain George Brimicane of Jamaica for killing James Furleigh. In the same words as the pardon of 8th August 1675 (*which see*) the name only of James Furleigh being here inserted. 1 *p.* [*Dom. Entry Bk., Chas. II., Vol. XXVIII., p.* 168.]

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[Jan. 26.] **18.** Petition of the Royal African Company to the King. That since the Orders in Council of 20th September 1672 and 4th September 1674 for stopping ships trading into the limits of petitioner's charter loose traders have been more cautious by entering at the Custom House their goods as for other ports and then lading their goods at other places, having at same time ships at sea ready to take in said goods, and then proceed to Africa. Are informed that one John Case, Master of the Antigua merchant, is laden with goods for Guinea, though entered for Antigua. *Annexed,*

18. I. Order in Council on the above petition. That said ship be stayed until the master give security that she shall not trade to any port within the limits of petitioners' charter. 3 *pp.* [*Col. Entry Bk., Vol. I., pp.* 66–68.]

Jan. 27. **19.** Grant from Governor Berkeley to Gregory Walkelate. To take into his custody "all such Roanoak and Peacke as was taken from the Indians" and not distributed amongst the soldiers, and that belongs to the Governor. [*Col. Papers, Vol. XXXIX. No.* 13.]

Jan. ? **20.** "Entry of originall Papers concerning Gregory Walklett in Virginia." Part only of one letter (? from Captain Grantham) to Walklett has been entered, although many blank pages are left. Has communicated his letter to the Governor, the proposals for a cessation "are quite out of doors," the Governor and the country have been too much abused by a cessation before. As to his proposal to come to Gloster with a good troop of horse and arms, advises him to bring them with what speed he can to Tindall's Point or thereabouts and declare for the King's Majesty, the Governor, and country. Will upon the least notice of it come and fetch him on board to His Honour (? the Governor of Virginia) and he may assure himself there will be good fighting men and a considerable company of resolved men, ready armed, to assist him, the writer of this letter amongst them. [*Col. Entry Bk., Vol. LXXXI., p.* 501.]

Jan. 28. Jamaica. **21.** Governor Lord Vaughan to Secretary Coventry. Has taken more depositions of injuries received from the Spaniards since his last (*see ante No.* 2, and sends a letter from the Governor of Trinidad. But for his having fitted out two men-of-war sloops as convoy to our small boats, our fishery would have been wholly lost, and abundance of useful people in this place ruined. No less than sixty English people in the Havanna kept as slaves. Without some orders from Europe the Spaniards will never do us right, the Governor of Havanna confirmed for five years longer. Hopes to receive an instruction to re-enact their laws, in April the laws expire. 2 *pp. Enclose,*

21. I., II. The Theniente of Trinidad's letter to Governor Lord Vaughan with English translation. 1677, Jan. 4.

21. III. Benjamin Smith's deposition of his being taken by the Spaniards and carried to Trinidad. 1677, Jan. 12.

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21. iv. James Risbee's deposition of his being taken by the Spaniards and carried to Trinidad, with loss of his vessel and goods. 1677, Jan. 12.

21. v. William Salisbury's deposition of his being taken by the Spaniards and carried to Trinidad. 1677, Jan. 12. These three depositions sworn before and certified by Governor Lord Vaughan.

21. vi. The let-pass given by the Lieutenant of Trinidad to a sloop belonging to Jamaica that was brought into that port. 1677, Jan. 8.

21. vii. Governor Lord Vaughan's instructions to Captain Roger Marsh. Port Royal, 1677, Jan. 3. [*Col. Papers, Vol. XXXIX., Nos.* 14, 14 i.–vii.; *also Col. Entry Bk., Vol. XXIX., pp.* 124–128.]

Jan 28. **22.** List of Papers sent by Secretary Coventry's orders to William Blathwayt (Secretary to Lords of Trade and Plantations) on 26th April 1677. "Read 28 June 1677." *This list comprises all the enclosures in the preceding letter of Lord Vaughan, besides four other depositions taken before the Governor of Jamaica between October and December* 1676, *which are abstracted in the previous volume of this Calendar, No.* 1101. [*Col. Papers. Vol. XXXIX., No.* 15, *and Col. Entry Bk., Vol. XXIX., pp.* 127, 128.]

Jan. **23.** Abstract of Papers transmitted by Secretary Coventry, touching injuries done by the Spaniards to the English nation in the West Indies. *These papers are comprised in the preceding list and begin with abstracts of Governor Lord Vaughan's letters of 4th January and 28th January, in which these papers were enclosed.* 4 *pp.* [*Col. Papers, Vol. XXXIX., No.* 16.]

Jan. 29. **24.** Lords Proprietors of Carolina to Major Aldrich. Acquaint him as Lord Berkeley's Deputy that they suffer extremely in interest and reputation through Lord Berkeley not having paid in the 200*l.* due to their joint stock. Will make the business as easy as they can to his Lordship if he will presently pay 120*l.* to Captain Halstead, and the other 80*l.* in three months. If he should fail Mr. Saxby our secretary will tell him how great the damage will be. Earnestly desire his Lordship to comply with this most reasonable and necessary request, which otherwise may put a stop to their prosperous proceedings, *Signed by* Shaftesbury, Craven, Clarendon, G. Carteret, and P. Colleton. [*Col. Entry Bk., Vol. XX., p.* 119.]

Jan. 29. H.M.S. "Bristol," Kiccowtan, James River. **25.** Sir John Berry to Governor Sir William Berkeley. Came to an anchor this afternoon. There is on board with him Colonel Francis Moryson, joint Commissioner with Berry and Colonel Herbert Jeffreys for settling the grievances and other affairs in Virginia. Has on board about 70 of His Majesty's soldiers commanded at present by one Captain Morris; the rest of the forces, on their arrival, will make up a complete regiment of 1,000 men under the command of Colonel Herbert Jeffreys, with all

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kinds of provisions and ammunition necessary for carrying on the war against the King's enemies and suppressing the present rebellion, all of which were shipped and ready to sail when Berry left England. Has full power from the King to command all merchant ships and seamen within the rivers of Virginia. Will supply him with such stores as he can spare. The ships under his command are the Bristol and Deptford ketch, the Rose and Dartmouth. Frigates coming after with the rest of the forces. Earnestly desires a personal conference and would be glad if he would come on board. Lady Berkeley was well when the writer left London and ready for her departure hither. Colonel Moryson is expecting to meet him face to face so writes not now. [*Col. Entry Bk., Vol. LXXXI., pp.* 17–20.]

Jan. 30. **26.** Humphrey Harwood to (the Commissioners for Virginia). Has sent up all the sheep belonging to John Leucas according to their warrant, and taken an inventory of the rest of his personal estate. [*Col. Papers, Vol. XXXIX., No.* 17, *and Col. Entry Bk., Vol. LXXXI., p.* 275.]

Jan. 30. **27.** A dialogue between the rebel Bacon and John Goode as it was presented to Governor Sir William Berkeley, which took place on or about 2nd September last, concerning a report that the Governor had sent for 2,000 red-coats and the chances of the (500) Virginians being able to beat them; Bacon's opinion of the mind of the country as well as of Maryland and Carolina to cast off their Governors, "and if we cannot prevail by arms to make our "conditions for peace or obtain the privilege to elect our own "Governor, we may retire to Roanoke." 9 *pp.* [*Col. Entry Bk., Vol. LXXXI., pp.* 232–240.]

[Jan. 31.] **28.** Petition of Robert Clowes, Chief Clerk of the Supreme Court of St. Jago de la Vega, to the King. That Governor Lord Vaughan refuses to admit Thomas St. Nicholas, petitioner's deputy, to officiate in said office. Prays His Majesty to order said Governor to do so. *Two copies, one* "read 31 Jan. 1677," *the other* "read 6 Feb. 1677." *Annexed,*

28. I. Order of the King in Council. Referring above petition to Lords of Trade and Plantations for their report. 1677, Jan. 31. "Read 6 Feb. 1677."

28. II. Patent to Robert Clowes of the Inner Temple appointing him Chief Clerk of the Supreme Court of St. Jago de la Vega. Westminster, 1672 Sept. 16. [*Col. Papers, Vol. XXIX., No.* 28.]

28. III. The King to Governor Lord Vaughan. Orders him to admit the deputy of Robert Clowes to the execution of his office. Windsor, 1674 June 9. [*See Col. Papers, Vol. XXXI., No.* 44.] This and the previous document are calendared in a previous volume.

28. IV. Report of Lords of Trade and Plantations to the King on above petition of Robert Clowes. Having heard counsel, and as no reason has appeared to them, their Lordships

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why Lord Vaughan has refused to admit petitioner's deputy to enjoy the benefit of his office as provided by His Majesty's patent, offer their opinions that copy of said petition be sent to Governor Lord Vaughan with the signification of His Majesty's pleasure that Charles Herbert be immediately admitted as petitioner's deputy into said office of Clerk of the Supreme Court of St. Jago de la Vega. 1677, June 26.

28. v. Order of the King in Council. Approving preceding report, and that Secretary Williamson if said Clowes shall desire it prepare a letter for His Majesty's signature to Lord Vaughan, according to their Lordships' advice. Whitehall, 1677, July 11, *see* 13 July 1677. [*Col. Papers, Vol. XXXIX., Nos.* 19, 19 I.–IV.; *also Col. Entry Bk., Vol. XXIX., pp.* 111–121.]

29. Petition of Robert Clowes to Lords of Trade and Plantations. That their Lordships on hearing Council were pleased to agree on a report to be made to the King in petitioner's favour. Prays that they would proceed to make such report and recommend petitioner to His Majesty's grace and favour. "Read Jan. 21, June 1677," *sic.* [*Col. Papers, Vol. XXXIX., No.* 20.]

Jan. 31. **30.** List of papers relating to Jamaica received on 31st January 1677 from Mr. Secretary Coventry, in the business of Sir H. Morgan and Colonel Byndloss. 2 *pp. These papers have all been abstracted in the previous volume of this Calendar. See No.* 1129. [*Col. Papers, Vol. XXXIX., No.* 21.]

Feb. 1. Whitehall. **31.** Secretary Sir Joseph Williamson to Sir Andrew King. His Majesty having been pleased at the desire of His Royal Highness to allow of the Royal African Company's proceeding to treat with the Dutch West India Company upon a late overture they have made, sends declaration of His Majesty's pleasure in the form His Royal Highness approved. *Encloses,*

31. I. His Majesty's allowance to the Royal African Company to treat with the Dutch West India Company for the restraining interlopers and for the mutual good of both Companies in their trade, upon the overture made on the part of the Dutch Company by their letter of the 22nd January instant. Whitehall, 1677, 31 Jan. *Together,* 1¼ *pp.* [*Dom. Entry Bk., Chas. II., Vol. XLIII., pp.* 130, 131.]

Feb. 2. On board H.M.S. "Bristol," in James River, Virginia. **32.** Sir John Berry and Colonel Francis Moryson to Secretary Sir Joseph Williamson. Arrived within the Capes of Virginia after a tedious passage of ten weeks and a day, and delivered all papers to Governor Berkeley who came aboard. The rebel Bacon is dead, his accomplices dispersed, and about twenty of the ring-leaders lately executed. The poor loyal party beginning to return to their ruined homes. James City totally burnt to the ground by Bacon, who with his own hand set fire to the church. The small

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number of soldiers already arrived quite destitute of quarters; no place fit to receive them, much less the number that are coming after, whereat the Governor, who believed a frigate or two would have been sufficient, and never desired soldiers, is much amused, and the whole people startled, and many ready to desert their plantations, which will force them to continue the soldiers on board till Colonel Jeffery and the rest arrive. In praise of the Governor's conduct. Good foundations laid of a peace with the Indians. The Assembly summoned to meet on the 20th instant. Are about to summon the respective counties to bring in their grievances, but as yet can find no appearance of any, save only the great salary paid to the members of the Assembly. The Governor much concerned about the distribution of the forfeited estates. Can see no cause to apprehend a long stay. [*Col. Papers, Vol. XXXIX., No.* 22; *also Col. Entry Bk., Vol. LXXXI., pp.* 27–33.]

33. The oath that Nathaniel Bacon administered to the people of Virginia. To oppose the King's forces until Bacon acquaints His Majesty with the state of this country and has an answer. That the actions of the Governor and Council are illegal and destructive to the country, but his own according to law. That his Commission is lawful and legally obtained. To divulge anything spoken against Bacon, and to keep his secrets. 1 *p.* [*Col. Papers, Vol. XXXIX., No.* 23.]

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39. Minutes of the Council of Jamaica. Present, John Lord Vaughan, Governor, Sir Henry Morgan, Colonel Thomas Freeman, Colonel Thomas Ballard, Lieutenant-Colonel Robert Byndlosse, Colonel Charles Whitfield, Lieutenant-Colonel Samuel Long, Colonel Thomas Fuller, John White, Esq. The Governor desired to represent to His Majesty and the Council of Trade that the island would take off 3,000 negroes per annum. Fees to be established in the Admiralty and elsewhere. The public account of the Treasury for six months to September 1676.

Feb. 14.

Writs to be issued for the next assembly to meet on 9th April. Adjourned to 26th March. [*Col. Entry Bk., Vol. XXXV., pp.* 544–550.]

Feb. 5. Jamaica.

40. Relation of Captain Roger Marsh and Captain William Jaques, Commanders of His Majesty's hired sloops the Primrose and Cold Harbour given to Governor Lord Vaughan. Account of their convoying the turtling and fishing belonging to this island and of being attacked by a Spanish man-of-war of their flight and chasing the Spaniard until they lost sight of the ship. 2 *pp.* [*Col. Papers, Vol. XXXIX., No.* 25.]

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41. Report [of the Lords of Trade and Plantations]. Having prepared rules for passes to all ships trading to and from England and settled the rules to Ireland, Jersey, Guernsey, and Tangier, advise that the rules be printed. Have forbore to frame any rules for New England, as they do not conform themselves to the laws, but take a liberty of trading where they think fit, so that until His Majesty comes to a better understanding touching what degrees of dependance that government will acknowledge to His Majesty, or

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38. Warrant from Sir William Berkeley to the Sheriff of ——— County. To call a county count and there to take a report of the inhabitants of the county, what abuses and aggreivances have been done to them at such time as he shall receive orders from His Majesty's Commissioners. [*Col. Entry Bk., Vol. LXXXI., pp.* 45, 46.]

Feb. 3. Port Royal.

39. Minutes of the Council of Jamaica. Present, John Lord Vaughan, Governor, Sir Henry Morgan, Colonel Thomas Freeman, Colonel Thomas Ballard, Lieutenant-Colonel Robert Byndlosse, Colonel Charles Whitfield, Lieutenant-Colonel Samuel Long, Colonel Thomas Fuller, John White, Esq. The Governor desired to represent to His Majesty and the Council of Trade that the island would take off 3,000 negroes per annum. Fees to be established in the Admiralty and elsewhere. The public account of the Treasury for six months to September 1676.

Feb. 14.

Writs to be issued for the next assembly to meet on 9th April. Adjourned to 26th March. [*Col. Entry Bk., Vol. XXXV., pp.* 544–550.]

Feb. 5. Jamaica.

40. Relation of Captain Roger Marsh and Captain William Jaques, Commanders of His Majesty's hired sloops the Primrose and Cold Harbour given to Governor Lord Vaughan. Account of their convoying the turtling and fishing belonging to this island and of being attacked by a Spanish man-of-war of their flight and chasing the Spaniard until they lost sight of the ship. 2 *pp.* [*Col. Papers, Vol. XXXIX., No.* 25.]

Feb. 6.

41. Report [of the Lords of Trade and Plantations]. Having prepared rules for passes to all ships trading to and from England and settled the rules to Ireland, Jersey, Guernsey, and Tangier, advise that the rules be printed. Have forbore to frame any rules for New England, as they do not conform themselves to the laws, but take a liberty of trading where they think fit, so that until His Majesty comes to a better understanding touching what degrees of dependance that government will acknowledge to His Majesty, or

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that His Majesty's officers may be there received and settled, to administer what the laws require in respect of trade suitable to the practices in other plantations. Their Lordships have not thought fit to offer any rules for passes in that place, but conceive it fit for His Majesty's service that some speedy care be taken to come to a settlement and resolution in this matter which is of so great importance to trade. 2 *pp.* [*Col. Papers, Vol. XXXIX., No.* 26; *also Col. Entry Bks., Vol. LX., p.* 179, *and Vol. CIV., p.* 291.]

Feb. 6. **42.** Journal of Lords of Trade and Plantations. Their Lordships hear Counsel in behalf of Robert Clowes referred by Order in Council of 31st January last (*see ante No.* 28 1). Petitioner's patent is read and they agree to report to His Majesty that copy of this complaint be sent to Lord Vaughan, with their opinion "that there appears no reason why petitioner's deputy should not be admitted or the man continue who is put in by his Lordship and not as deputy to the patent," but if his Lordship hath any objection to the party presented to signify the same.

Feb. 12. That part of Clowes' petition considered to recover arrears due to him for fees and profits, and after debate agreed to offer to His Majesty that during the time petitioner's deputy exercised his offices he receive all fees, but from the death of said deputy their Lordships think nothing can be reasonably claimed from the Governor's nominee who filled the vacancy until the presentation of another by the patentee. [*Col. Entry Bk., Vol. CIV., pp.* 293, 294, *and* 300, 301.]

Feb. 6. H.M.S. "Bristol." James River. **43.** A declaration from His Majesty's Commissioners for the affairs of Virginia to His Majesty's loving subjects of Virginia. Setting forth the causes of His Majesty sending Commissioners to Virginia and inviting and requiring every inhabitant of the Colony without exception freely and impartially to state his grievance, and more particularly what he conceives to have been the true grounds and original occasion of these late troubles and disorders, which they may do in duplicate, one for the member of assembly of the particular county and for His Majesty's Commissioners. *Signed by* Sir John Berry and Colonel Francis Moryson and addressed to the High Sheriff of James City County. [*Col. Entry Bk., Vol. LXXXI., pp.* 39–44.]

Feb. 6. **44.** Warrant by His Majesty's Commissioners for Virginia to the Sheriffs of the several counties to dispatch away the (preceding) Declaration herewith sent, viz.: James City, Charles City, Henrico, Isle of Wight, Nancymond, Lower Norfolk, Kiquetan *alias* Elizabeth City County, Warwick, York, New Kent, Gloucester, Middlesex, Rappahanock, Lancaster, Stafford, Westmorland, Accomack, Northampton, and Northumberland. [*Col. Entry Bk., Vol. LXXXI., p.* 45.]

Feb. ? **45.** Sir John Berry and Colonel Francis Moryson to Colonel John Custis. Have made choice of him to communicate with all possible expedition the above Declaration by the hands of the

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Sheriffs of Accomack and Northampton to the inhabitants of said counties as directed, and to say that their personal attendance, by reason of distance, will be dispensed with, and that, as to the great salary and too frequent meetings of the Assembly, the Commissioners have His Majesty's express directions for redress thereof. With postscript signed by Moryson to Honest Jack, assuring him of his real friendship and that His Majesty shall know of his just merits. [*Col. Entry Bk., Vol. LXXXI., pp.* 47–49.]

Feb. ? **46.** Sir John Berry and Colonel Francis Moryson to Captain Armsted, at Peancatanck in Gloster county. In case the grievances of said county extend not to matters requiring personal proof, the charge and trouble of attending His Majesty's Commissioners may be spared. Also similar letter to Captain John Tiplady in York county, who is desired to let a copy of this letter go from Sheriff to Sheriff. [*Col. Entry Bk., Vol. LXXXI., pp.* 50, 51.]

Feb. 7. Whitehall. **47.** Order of the King in Council. On the hearing of several things alleged by Mason and Gorges, Petitioners on the one hand and the Massachusetts agents on the other, concerning their claims to territories in New England, His Majesty referred the whole matter to the Lords of Trade and Plantations to examine the bounds to which each of the parties pretend, and the patents insisted on by either side, to find out how far the rights of soil and government belong to any of them; the Lords Chief Justices of the King's Bench and Common Pleas to give assistance. [*Col. Papers, Vol. XXXIX., No.* 27, *and Col. Entry Bk., No.* 60, *p.* 198.]

Feb. $\frac{8}{18}$. Barbadoes. **48.** Governor Sir Jonathan Atkins to Lords of Trade and Plantations. The French King has lately sent a very considerable fleet under Mons. d'Estrées to these parts, who has taken all the French soldiers of the islands on board his ships and a great number of volunteers, seventeen sail. They alarmed us, and "coasted us all night," but has reason to believe they are bound for Tobago, where the Dutch fleet is, which has endured both want and sickness. Has no reason to fear them. Wishes the Leeward Isles were as secure. Mons. de Baas, the old French General, is dead, and Mons. d'Estrées commands in America. 'Tis thought they have some design upon Hispaniola or the Spanish fleet. 1 *p.* [*Col. Papers, Vol. XXXIX., No.* 28; *also Col. Entry Bk., Vol. VI., pp.* 149, 150.]

Feb. 8. On board the "Bristol," Newport, Newes. **49.** Sir John Berry and Colonel Francis Moryson to Governor Sir William Berkeley. More soldiers come in and more hourly expected. To hasten preparations for their landing, and for their station and storehouses for the King's ammunition, provisions, &c. Necessity of publishing the King's proclamation of grace and pardon, that the people, who look very amazed at the Commissioners and the forces coming over, may have a right information of the true end and occasion of it. And as no material grievance

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has been yet so much as whispered against him, they advise him, like faithful and well-meaning friends to him and good subjects to His Majesty, not to give just occasion to merchants and traders to complain that he obstructs trade by marking hogsheads with the broad arrow as forfeited to the King, especially when the King has granted full restitution of estate, &c., by express words in the proclamation and pardon. As for disposing of delinquents' estates in restitution to the loyal sufferers, they conceive that most fit to be referred to His Majesty. Pray his answer in writing, as also all future conference between them, because of his defect of hearing, which not only denies privacy, but looks angerly by loud and fierce speaking. [*Col. Entry Bk., Vol. LXXXI., pp.* 55–60.]

Feb. 8? **50.** Colonel Francis Moryson to Governor Berkeley. Has just come to Colonel Swann's, and begs his excuse for not waiting on him. Is indisposed and about taking physic. [*Col. Entry Bk., Vol. LXXXI., p.* 61.]

[Feb. 8.] **51.** Account by John Rich, Commander of the Blackmore of Dartmouth, Admiral of the Harbour of St. John's, Newfoundland, of the number and names of ships, boats, and persons fishing in said harbour of Newfoundland. *Signed*, John Rich. *Endorsed*, "Rec. from Sir T. Lynch, 8 Feb. 1677." 1 *p.* [*Col. Papers, Vol. XXXIX., No.* 29.]

Feb. 9. **52.** Governor Berkeley to Colonel Francis Moryson and Sir John Berry. Is yet very ill. Has not marked one hogshead of tobacco, nor does he intend to do so until he has the King's permission, which he has written to Secretary Coventry to obtain for him. As to providing magazines for the soldiers' victuals and ammunition, hopes they do not think he can do impossibilities. The rebels left him but one ox and he has borrowed six to bring wood and victuals for 200 men now in his house. Has not left one grain of corn or a cow to feed himself, or, God knows, five pounds in the world. Glad that all their transactions be in writing, which he will send to the Secretaries of State, beginning with these two letters of the Commissioners and his own. The proclamation shall be sent out to-morrow, with the exceptions which he has authority from the King to make, and thinks them necessary for His Majesty's honour and the future peace of the country, "least too much lenity should incline the rabble to a new rebellion." If they send him word it is lawful to press oxen or horses for His Majesty's service he will immediately do it. [*Col. Entry Bk., Vol. LXXXI., pp.* 62–64.]

Feb. 9. Jamaica. **53.** News letter. Lord Vaughan intends to send to St. Jago to expostulate with that Governor on the wrongs and injuries our fishermen have received by a Spanish vessel fitted at the Havanna. The Marquis de Maintenon likely to do nothing, although he has all the French on Hispaniola and all their vessels ready for a design. The Governor of Tortugas lately made prize of two of our vessels and forbids trade. He expects Count d'Estrées will be there speedily with his fleet. Cannot hear of any Dutch men-of-war at Curaçao,

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one of 40 guns cruising off Hispaniola. Two French vessels lately well beaten by a Spanish hulk in the Gulf of Mexico with the loss of 80 men, Captain Bennet killed in the engagement. Apprehends the loss of San Domingo, for unless the Dutch assist it will be impossible for the Spaniards to save it. 2½ *pp.* [*Col. Papers, Vol. XXXIX., No.* 30.]

Feb. 10. Green Spring (Virginia).

54. Proclamation by Governor Sir William Berkeley of full free and absolute pardon and indemnity of life and estate to all persons within the colony of Virginia, since the beginning of the late horrid rebellion, wherein Nathaniel Bacon, junior, was the chief, except to those particularly named herein, provided such persons do, within 20 days of the date hereof, take the oath of obedience made in the third year of King James' reign. [*Col. Papers, Vol. XXXIX., No.* 31 ; *also Col. Entry Bk., Vol. LXXXI., pp.* 276–286.]

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55. Sir John Berry and Colonel Moryson to Mr. Watkins. Have sent forth a declaration in His Majesty's name to the people of Virginia (*see ante No.* 43), who have received it with abundant satisfaction and hearty expressions of gratitude. But though Bacon be dead, they could heartily have wished the King's proclamation in print, and the other instruments of His Majesty's pardon had been published, instead of the Governor's written one, contrary to their advice. Of above 15,000 there are not above 500 untainted persons in this rebellion, and but few eminent sufferers that they can hear of. Complain of the Governor for seizing the estates of pretended delinquents without any legal power. As no one can be a delinquent before conviction so no one can be now convicted that was not taken before His Majesty's acts of grace. It was against their advice that any should be excepted out of the pardon, but those excepted by the King himself. Sir William Berkeley's contrariety to them, the patent and the proclamation seeming to clash in one clause as to his power he has excepted about eight persons without naming them, which they consider fatal as putting the whole people of the country in dread of their lives. The Governor should no longer act as in *furore Belli*, but let the laws return into their own proper channel. The people who are sullen and obstinate must be treated as befits their condition ; the evil effects that will follow if they are not so treated. The Governor, on second thoughts, has this day issued the printed proclamations, but has excepted 18 persons, whose names or crimes the writers know not. Desire all their letters, &c., may be read before the King and Council. 3 *pp.* [*Col. Papers, Vol. XXXIX., No.* 32.]

[Feb. 10.]

56. "An insolent letter from the Massachusetts [Government] to His Majesty's Commissioners upon settlement of the Province of Maine, with warrant to the Constable of Portsmouth to disturb the same." Also the "Commissioners' answer to the Massachusetts letter" of 12th July 1665. *Signed by* Robert Carr, George Cartwright, and Samuel Mavericke. Piscataway river, 1665, July 16th, *All these papers are calendared under their proper dated in a*

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previous volume of this Calendar. Endorsed: "Rec. from Mr. Mason, 10 Feb. 1676-7." 6 *pp.* [*Col. Papers, Vol. XXXIX., No.* 33.]

Feb. 11. Swanns Point. **57.** Colonel Moryson to Governor Berkeley. Cannot conceive anything in their joint letter can give him the least distaste if rightly considered, since it is no more than a friendly advice, at his own choice to reject or embrace as his reason shall direct him. Beseeches him to lay aside all jealousies; is very confident they have given him no cause for them, therefore cannot but wonder at his asking whether he may press horses or oxen for His Majesty's service as though he had power to act nothing because they are here. They came to vindicate not to lessen his authority. Assurances of their right meaning towards him, and the writer's own particular friendship to his person. [*Col. Entry Bk., Vol. LXXXI., pp.* 65–67.]

Feb. 11. From my bed expecting my fever. **58.** Governor Berkeley to Colonel Francis Moryson, His Majesty's Commissioner for Virginia. Confesses he was troubled to be admonished for that which was ever practised in all nations. He knows that Colonel Jarrett (now Lord Jarrett) went to Lord Northumberland's house and took away all his horses for the King's service, yet that Lord, though manifestly against the King, never bore arms nor was ever convicted. When Berkeley waited on the King in the pursuit of Essex, the King gave orders to seize the houses, goods, and cattle of many that had declared against him, and Berkeley was by when Sir Richard Grenville took the house of Lord Roberts and at least 2,000*l.* sterling out of it, yet that Lord was so far from being convicted that at the King's coming into England he was made Lord Privy Seal. Has seized no toll or goods but in the height of the war, but hears that those who are criminally obnoxious daily and hourly convey away their goods and cattle. Shall ever seek and be most proud of his friendship. His wife, who lay by him last night, sends her service, "God help us, nothing but vocal kindness passed between us." *Mem.*—Colonel Jeffreys came up with Sir John Berry to Swann's Point this day. [*Col. Entry Bk., Vol. LXXXI., pp.* 68–70.]

Feb. 12. **59.** Governor Sir William Berkeley to Herbert Jeffreys, Lieutenant-Governor of Virginia. His Majesty, having given theGovernor leave to throw himself at his feet to give an account of the condition of the Colony, shall do so with all the haste the miserable condition of his affairs will permit, and will gladly obey the King's commands by leaving the Government during his absence in the Lieutenant-Governor's hands. 1 *p.* [*Col. Papers, Vol. XXXIX., No.* 34.]

Feb. 12. **60.** *Mem.*—That the Commissioners went over to Green Spring to Sir William Berkeley's house where they found the Council with him and Colonel Jeffrey's commission &c. being read, it was put by Sir William Berkeley to his Council whether he was immediately to resign the Government to Colonel Jeffreys, or no? whose result (*sic*) was in the negative, and that he had this latitude by the word

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convenience to take his own convenient time of departure hence. The Council maturely to consider whether the word conveniency shall be meant in respect to His Majesty's service or Sir William Berkeley's own private convenience. [*Col. Entry Bk., Vol. LXXXI., p.* 83.]

Feb. 12. **61.** The Council of Virginia to Herbert Jeffreys, Lieutenant-Governor of Virginia. Have diligently read over "a commission requiring Sir William Berkeley's return from Virginia, and appointing Herbert Jeffreys Lieutenant-Governor in his absence," and they conceive that upon Governor Berkeley's absence from Virginia, Jeffreys, as Lieutenant-Governor, is to execute all powers belonging to the office of Governor; and they shall be most ready upon said Governor's departure from Virginia to obey, assist, and advise him according to His Majesty's command. *Signed by* Nathaniel Bacon, Thomas Ballard, Joseph Bridger, and James Bray. *With Mem.*— That this was all the answer they would give in this affair, although pressed to expound the word conveniency, upon which Berkeley clung taking the latitude of that word to serve his own turn and private interest and advantage. [*Col. Entry Bk. Vol. LXXXI., pp.* 84, 85.]

Feb. 13. **62.** His Majesty's Commissioners for Virginia to Governor Berkeley. Complain of the seizure of peoples' goods by his own servants which they will not believe to be by his knowledge or connivance; and desire he will stop and redress such unwarrantable practices. If the same be by his own privity and directions that he reflect with how ill a face a grievance of this nature will look at home. This must be so necessary a caution and advice to him as must needs deserve his serious consideration and reforming for the future, and he must not take amiss their concernment in the peoples' grievances which make them hereby acquaint him with their contariety to such proceedings wherein they conceive he has neither law, right, nor His Majesty's royal will to support him. The bearer, Captain Tongue, can clear the particulars of their information. [*Col. Entry Bk., Vol. LXXXI., pp.* 78–80.]

Feb. 13. **63.** Governor Berkeley to His Majesty's Commissioners for Virginia. Thanks for their admonition in so weighty an affair, but truly it is beyond his knowledge. Those that have done it when complained of shall be punished. Almost all his neighbours had considerable shares of his goods and they have been willing to spare some corn and hogs in lieu of what they stole. Added to which he keeps at least thirty prisoners in his house and maintains a guard of fifty to secure them, and this he has done this month on the charity and benevolence of some charitable people. When the Assembly removes these prisoners and their guard he doubts not but he shall have credit enough to feed his own poor family. They will highly oblige him by sending this answer to the Secretaries of State. [*Col. Entry Bk., Vol. LXXXI., pp.* 81, 82.]

Feb. 13. **64.** The Council of State of Virginia to His Majesty's Commissioners for Virginia. Return their opinions upon, with His Majesty's

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commission to Colonel Jeffreys, and would have waited upon them had not the weather unfortunately prevented that visit. Their readiness to serve His Majesty's Commissioners in their joint or several qualifications in which the bearer Colonel Bridger concurs. *Signed by* Nathaniel Bacon, Thomas Ballard, and James Bray. [*Col. Entry Bk., Vol. LXXXI., pp.* 86, 87.]

Feb. 14. **65.** Herbert Jeffreys to Governor Berkeley. Since he and the Council have passed their "conjunct opinion" that Jeffreys' commission does not take place until after Berkeley's departure from Virginia, desires speedily to know his express determination what provision is to be made ready for the necessary reception of His Majesty's forces under Jeffreys' command as to carts and storehouses for the ammunition, &c., belonging to the train of artillery. [*Col. Entry Bk., Vol. LXXXI., pp.* 88, 89.]

Feb. 14. **66.** The Commissioners for Virginia to Secretary Coventry. Refer to their last letters of the 3rd instant. The rest of the fleet lately arrived, their interview with Governor Berkeley and the Council at Green Spring. Their commission read; Sir W. Berkeley left at large to interpret his own conveniency (the express word of the Commission). His Majesty's Commission of Oyer and Terminer to Berkeley (as then Governor) bearing date 16th November, and subsequent to the Secretary of State's letter, has caused the Council to decide that by virtue thereof he was continued in, not recalled from the Government, which neither the letters of State nor His Majesty's particular instructions, which are quite thwarted by it, can yet possibly evince the contrary to them. Send copies of the letters that have passed between the Governor and themselves, and complain of the great difficulties by which they have been surrounded in disposing of the soldiers, and that very much still remains undone therein, by reason of the whole country being so ruined and desolate a place, and not a house left in all James Town to shelter them. The climate proves so severely sharp and the ground is so covered with snow and ice that it is almost impossible for men to subsist on shore. [*Col. Entry Bk., Vol. LXXXI., pp.* 90–94.]

Feb. 20. **67.** Twenty Acts passed at a Grand Assembly, begun at Green Spring, the 20th day of February in the 20th (*sic.* should be 29th) year of His Majesty's reign, viz.:—

Of Indemnity and free pardon. Of Attainder. Inflicting pains, penalties, and fines upon great offenders. Declaring all Acts and Proceedings of Assembly held in June 1676 null and repealed. For the relief of loyal persons who have suffered by the Rebellion. Ascertaining the price of cockets. Limiting Masters' dealing with their Servants. Limiting times of receipt and payment of public tobaccos. Repealing Acts allowing free tythables to divers persons. Regulating Ordinaries and the Prices of Liquors. Disposing Amerciaments upon cast Actions. Concerning servants who were out in Rebellion. For the laying of Parish levys. Repealing the Act of encouragement for killing Wolves. Giving seven years to

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seat Frontier Lands. Giving liberty of appeal to the Eastern shore people. Regulating Burgesses' Expenses. For setting apart a day of Humiliation and Thanksgiving. Of Naturalization for Garret Johnson. For opening Courts of Judicature. 39 *pp.* [*Col. Papers, Vol. XXXIX., No.* 35 ; *see also Col. Entry Bks., Vol. LXXXVIII., pp.* 91–96, *and Vols. LXXXIX., XC., and XCI.*]

Feb. 20. **68.** Abstracts of the preceding twenty Acts passed at Green Spring in Virginia, 20th February 1677. 7 *pp. Two copies.* [*Col. Papers, Vol. XXXIX., Nos.* 36, 37 ; *also Col. Entry Bk., Vol. LXXX., pp.* 156–164.]

Feb. 20. **69.** Minutes and Orders made by the Grand Assembly, begun at Green Spring 20th February in the 29th year of the reign of King Charles II. *Certified copy by Robert Beverley, Clerk of Assembly.* 16 *pp.* [*Col. Papers, Vol. XXXIX., No.* 38.]

Feb. 20. **70.** Reports made to the House of Burgesses from several Committees read in the House and allowed and confirmed by the House. *Certified Copy by Robert Beverley.* 11 *pp.* [*Col. Papers, Vol. XXXIX., No.* 39.]

Feb. 20. **71.** Detailed account of the orders of public charge and levy in lbs. of tobacco made at a Grand Assembly begun at Green Spring the 20th February 1676(7), being a list of the names of all those who paid. Also a list of the names of those who were ordered to be paid out of the public monies in England. These lists comprise about 250 names, the last being Lieutenant-Colonel John Washington and Major Isaac Allerton. Also account of the charges of the forts of Mattapony, James River, Appamatix, Rappahannock, Mahixon, Susquehannah, Surrey, and Potomac. Total levy, 1,140,939 lbs. of tobacco, of which 2,900*l.* 13*s.* 10*d.* was ordered to be drawn in England in payment for 301,648 lbs. of tobacco. 8 *pp. Two copies.* [*Col. Papers, Vol. XXXIX., Nos.* 40, 41 ; *also Col. Entry Bk., Vol. LXXX., pp.* 172–179.]

Feb. 20. **72.** Thomas Notley, Governor of Maryland, to Lord Baltimore. That Virginia is wholly reduced to its allegiance, and most of the grand rebels brought in and some of them executed. That the frigates have arrived in Virginia with a fleet of merchant men. 1 *p.* [*Col. Papers, Vol. XXXIX., No.* 42.]

Feb. 20. **73.** Colonel Francis Moryson to Governor Berkeley. At the desire of the bearer, Captain Swann, though his fellow Commissioners are both absent, acquaints him that divers people who are enjoined by the King's proclamation to take the oath and give security for their future good behaviour are rendered incapable by their own defection, of procuring any of the loyal party to stand bound for them. Desires he will advise with the Assembly upon this, being an important part of said proclamation. When a speaker is chosen desires to be acquainted therewith, that the Assembly may

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receive from His Majesty's Commissioners an account of the occasion of the King's sending them over. 2 *pp.* [*Col. Entry Bk., Vol. LXXXI., pp.* 71, 72.]

Feb. 20. **74.** Journal of Assembly of Barbadoes. Being put to the vote the four following Acts were passed, viz.:—For securing the possession of negroes and slaves; to enable every tenant in tail to bar the issue in tail and all remainders and reversions; appointing the sale in open market of effects attached for the excise, the parish dues, or servants' wages; appointing what freeholders shall be capable to elect at the choosing of representatives. Order upon petition of Richard Lintott, merchant, to be allowed the duty paid on sixteen pipes of Madeira "turned eager" and altogether unsaleable.

Feb. 21. On petition of some of the freeholders an Act empowering the freeholders of the parish of St. Peters, All Saints, to meet and choose a vestry of said parish was pssed as was also an Act appointing what freeholders shall be capable to elect at the choosing of representatives for this island. Ordered that the Treasurer bring for the inspection of this House at their next meeting all accounts of arrears of levies and excise. The four following Acts were passed, viz.:—Appointing the sale in open market of effects attached for the excise parish dues or servants; to enable every tenant in tail to bar the issue in tail and all remainders and reversions; repeal of an Act entitled an Act for encouragement of the manufacture of this island; and for continuance of an Act entitled a supplemental Act to a former Act for the better ordering and governing of negroes. Ordered that a Bill be drawn by John Witham against their next sitting for a levy upon lands and negroes, &c., to defray the necessary charge of our fortifications. Adjourned to 15th March. [*Col. Entry Bk., Vol. XIII., pp.* 241–244.]

Feb. 21. **75.** Order of the King in Council. Referring petition of the merchants and traders to Newfoundland in fishing voyages to Lords of Trade and Plantations to examine the complaint and report what they conceive is yet further to be done, His Majesty being willing to gratify petitioners in anything that may cause the late Letters Patent touching the fishery of Newfoundland to be made effectual to them. [*Col. Papers, Vol. XXXIX., No.* 43.]

Feb. 21. **76.** Governor Berkeley to Colonel Moryson. Has received his letter by Captain Swann and will do as he required him and consult with the Assembly, and not only with them but with the only Commissioners. Thanks God he is so perfectly recovered that he hopes to go for England with the first ship. [*Col. Entry Bk., Vol. LXXXI., p.* 73.]

Feb. 22. **77.** Warrant to the Attorney or Solicitor General. To prepare a Bill for the King's signature to pass the great seal containing a grant to Charles Herbert of the office of Clerk of the Supreme Court of St. Jago de la Vega, Jamaica, during life, after the death

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or other termination of the interest of Robert Clowes, with power to sign writs, enter decrees, and keep records, and with all the fees and advantages belonging to said office. [*Col. Entry Bk., Vol. CX., p.* 109.]

Feb. 23. **78.** Colonel Francis Moryson to Governor Berkeley. Must needs say he is a little troubled to find Berkeley use this expression "I shall do as you require me," which is a language the Colonel never uses to his equals much less to a person of the Governor's honourable character. Thinks it must needs be a mistake in the reading not in the writing of his own. Conceives he has the liberty without his fellow Commissioners to write anything that imports his Majesty's service by way of advice. The title of Right Honourable in no capacity belongs to Moryson, but he desires to do His Majesty service under his true title. When his fellow Commissioners return from placing the King's stores, they will write to the Assembly of the occasion of their coming. 2 *pp.* [*Col. Entry Bk., Vol. LXXXI., pp.* 74, 75.]

Feb. 23. **79.** Benjamin Rozer to Lord Baltimore. That the rebellion in Virginia is totally suppressed and a new Assembly sitting. Sir William Berkeley hath hanged several persons since his return but hath executed none since the arrival of Sir John Berry. That Jeffreys, one of the Commissioners for Virginia, was not then arrived. 1 *p.* [*Col. Papers, Vol. XXXIX., No.* 42.]

Feb. 24. **80.** Governor Berkeley to Colonel Francis Moryson. Thinks all His Majesty's Commissioners of so high a quality that he writes and styles Colonel Jeffreys and Sir John Berry Right Honourable, who have not yet taken it ill neither does Berkeley while he is the King's Governor. For the word require truly he knows not whether it were desire or not. The Burgesses are not yet half met, the northern and those of Accomack being kept back by the weather to the Governor's great charge. "Colonel Moryson, my friend, I would fain have you think me yours." [*Col. Entry Bk., Vol. LXXXI., pp.* 76, 77.]

Feb. 27. Swanns Point, James City. **81.** The Commissioners for Virginia to Thomas Watkins. Upon second thoughts, desire he will deliver Secretary Coventry's letter, whose Province Virginia is, in the first place and advise with him how much of its contents may be communicated to the other ministers. The Assembly have begun to sit, and the Commissioners have prepared a letter to acquaint them with the cause and end of their coming which they will send with answer by next conveyance. [*Col. Entry Bk., Vol. LXXXI., pp.* 95, 96.]

Feb. 27. Swanns Point, in James River. **82.** The Commissioners for Virginia to the Governor, the Council, and the Speaker of the House of Burgesses at Green Spring, to be communicated to the whole Assembly. Congratulations on their return to their late interrupted freedom and liberties from the force, fury, and constraint of the late wicked and ruinous rebellion. Prayers for divine assistance in their debates and consultations. That they search into the depths and yet hidden root and source of

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the late rebellious distemper, and devise wholesome laws to prevent the like evil consequences for the future, and effectually to staunch and heal the fresh and bleeding wounds among them. Notify the King's Commission and Instructions, and the Commissioners' power and readiness to assist and advise with the Assembly, and then speedily to return home to His Majesty fraught with those burdens wherewith they have been oppressed and have groaned under, who out of his royal compassion has promised a fit and speedy redress thereof. To join their utmost endeavours with their own to procure a peace with the neighbour Indians. Tribute to Governor Berkeley's equitable policy and prudence, first by his successful conquest, next by his wise and just peace formerly made with the Indians. Remarks on the base ingratitude or nameless prodigy of infatuation and meer madness in those who would make a breach with or strive to extirpate the amicable Indians. Exhortations to gain and preserve a good and just peace and correspondence with their neighbour Indians, least God "look on while, like men devoid of reason, religion, loyalty or humanity, we were murdering, burning, plundering and ruining one another without remorse or consideration." Recommend the reducing the great salary of the members of the Assembly to such moderate rates as may render them less grievous and burthensome to the country; His Majesty has shown himself signally concerned therein; their opinions as to an immediate redress under five heads, viz., the calling a new Assembly every two years; no member to receive any salary unless personally sitting; no accounts for liquors drunk by members at committees, chairmen of committees to draw up their own reports themselves; (some clerks employed having 4,000 lbs. of tobacco for scarce 20 lines); and the abatement of the excessive rates set by ordinary keepers about James City at Assembly times; that Acts may be speedily considered to reform the same; recommend the "transmuting that odius name of Informer into that more genuine one of calling such men Conservators of the Law." Other grievances shall be transmitted home for His Majesty's redress; those between party and party which relate only to private interests to be left to the Assembly. Hearty wishes that the Assembly may unite in their endeavours to resettle this distressed country, so that a timely stop be put to His Majesty's resolve to send a far greater force over to effect it and that the soldiers now here may be recalled home. 19 *pp.* [*Col. Entry Bk., Vol. LXXXI., pp.* 97–115.]

Feb. ? **83.** The Commissioners for Virginia to the Council and Assembly of Virginia. As touching His Majesty's desire for peace with the Indians; the sole power of peace and war are only inherent to His Majesty's royal prerogative, and it is therefore to be understood that that part of the letter is not before the Council and Assembly to judge or determine whether it be fit or no, but to offer their best judgments as to what means shall safely and honourably conduce thereto, "and no further are you to concern yourselves in this matter." As to the salaries of the Assembly members, His Majesty's instructions are peremptory in that particular; they must be

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reduced so as to be no grievance to the country. These two articles to be recommended particularly to the Governor as appertaining solely to his province. 4 *pp.* [*Col. Entry Bk., Vol. LXXXI., pp.* 116–119.]

March 6. Swanns Point. **84.** The Commissioners for Virginia to Governor Berkeley. Find not only by former complaints, but by petitions this day before them, that several illegal seizures have been made without any due conviction or attainder. Have more than once protested against such unwarrantable proceedings, and especially for that there is no pretence or colour for such kind of practices, but rather of restitution. Reasons. Hope no more clamours of this kind may surround them here, nor pursue Berkeley home to England to obstruct his and their proceedings for the good of this country, and give new occasions of more disturbances among the people. 3 *pp.* [*Col. Entry Bk., Vol. LXXXI., pp.* 120–122.]

March 7. **85.** Governor Berkeley to the Commissioners for Virginia. Has received their letter with some wonder, for they tell him that no man's estate is to be seized for treason without conviction, which he knows is contrary to all the practice of kingdoms in Christendom. For this he appeals to the King and his Council and his learned Judges of the law. Besides this he was by when the King seized the estates of many that were in rebellion against him without conviction. Desires them to take a list of what he has seized. The case of Alexander Walker different, he voluntarily offered it. Has seized nothing since the King's Commissioners came in, and what is seized amounts not to the thirtieth part of his lost estate. Shall give the King and his Council all their admonitory letters to him. [*Col. Entry Bk., Vol. LXXXI., pp.* 123, 124.]

March. **86.** Petition of Colonel William Claiborne, a poor old servant of your Majesty's father and grandfather, to King Charles II. Was one of the Council of State to His Majesty's grandfather and Secretary of State to his father, and by their special commands under the broad seal of England to the Governor of Virginia was sent to discover and gain a great trade in beavers and furs which the Dutch then usurped to themselves. At his own charge and in his own person, petitioner discovered and planted the Isle of Kent and the Bay of Chesapeak, which then well succeeding, the old Lord Baltimore taking notice thereof, procured a patent for the same, pretending it was unplanted, and since, by force of arms, though forbidden by the then King, has expelled petitioner and taken away his estate to the value of above 10,000*l.* sterling, in goods, cattle, servants, and many plantations thereon, which the Grand Assembly of Virginia has lately presented as a great grievance to the country, and has been near the utter undoing of petitioner and his family, now in his old age, his younger years being most spent in his discoveries and wars against the Indians as Chief Commander. Prays for speedy justice in so lamentable a case. *Signed by* W. Claiborne, senior. *Annexed,*

86. I. Memorandum by the King's Commissioners for Virginia.

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That the petition of William Claiborne, senior, being presented to them for a grievance to be laid before His Majesty's royal consideration, they have given in the same separately, as an affair which concerns a whole peculiar province, and which has heretofore been before His Majesty's royal father and Privy Council without any decision being made therein. It is now again humbly tendered to His Majesty to determine and to remain under consideration till such a time as the persons concerned, or some sent over by the petitioners, shall arrive to negotiate the same in England "which we are not empowered or concerned to do."

86. II. Representation of the Colony and Assembly of Virginia to His Majesty's Commissioners, for the settlement of Virginia in these troublesome times of rebellion and general disturbances. In all time since the dissolution of the Virginia Patent, they have received assurances under the broad seal of England and many declarations from the King, that their estates should be "conserved" and in no sort prejudiced, during which time the petitioner, Colonel Claiborne, hath been resident in Virginia, and enjoyed, as a Councillor and Secretary of State there, the benefits thereof; and by virtue of Commissions under His Majesty's Government and seal of Virginia, and by express directions from the Commissions under the broad seal of England, did discover and plant the Isle of Kent. From this time it continued under the Government of Virginia, and men arrested at the Isle of Kent for felonies were returned to appear at James City; but Lord Baltimore's officers came and expelled us by force of arms several times, and hanged our men without trial or just cause given; they also took away our goods, servants, and cattle, and displanted us at Palmer's Island, out of their limits in Susquehannah River. All this they did in spite of His Majesty's commands to the contrary not to molest us. *Signed by* W. Claiborne, 1677, March 13.

86. III. Commission signed by Sir George Yeardley, Governor and Captain-General of Virginia, to "my well-beloved friend William Claiborne." There remaining divers places and parts of this kingdom of Virginia altogether unknown unto us, and not yet discovered by any, by the search and true discovery whereof the bounds and limits of this plantation may be far augmented, and such other commodities found out as may be for the benefit and good of the people inhabiting in the same, full power and authority is given to said Claiborne, with a sufficient company of men in a shallop, to sail into any the rivers, creeks, ports, and havens within the Bay of Chesapeake, or into any other part or parts of this Colony, there to trade and truck with the Indians for furs, skins, corn, or any other commodity, with power to govern and

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punish his company according to the laws and customs of the sea, life only excepted. James City, 1627, April 27.

86. IV. Commission signed by John Pott, Governor and Captain-General of Virginia, to William Claiborne. To make his voyage with a sufficient company of men, and sail into any the rivers, creeks, ports, and havens within the Bay of Chesapeake, or any other part of this kingdom of Virginia, within the degrees of 34 and 41, there to trade and truck with the Indians for furs, skins, corn, or other commodities, with power to govern and punish his said company, life only excepted. James City, 1629, March 13.

86. V. Commission signed by John Pott, Governor and Captain-General of Virginia, to "my well-beloved friend William Claiborne, Esquire." Whereas by the cruelty and treachery of the Indians we are many ways justly provoked and incited to undertake a continued and settled course of war against them, to their utter extirpation and ruin, we, being better enabled thereunto by those numbers of persons which have lately arrived and augmented this Colony, according to an Act of Court to that purpose made the 9th July instant, appoint said Claiborne Captain and Commander of all forces to be levied and set forth for that employment, by all ways and means he can to destroy and pursue the Indians of these territories adjoining, who have been principals or abettors in the murder of our men, by cutting down their corn, surprising them in their habitations, intercepting them in their hunting, burning their towns, destroying their canoes and wares, and depriving them of whatsoever may yield them succour or relief, with power to govern and punish all offending persons. James City, 1629, July 22, in fifth year of the reign of King Charles I., and in the three and twentieth year of this plantation.

86. VI. The King's Commission to William Claiborne, one of the Council and Secretary of State for our Colony of Virginia. Licensing and authorizing him and his associates, who have condescended with Sir William Alexander, Secretary for Scotland, and other His Majesty's loving subjects, who have charge over the Colonies of New England and New Scotland, freely to trade and traffic for corn, furs, and other commodities in all seas, coasts, rivers, creeks, harbours, lands, and territories in, near, or about those parts of America for which there is not already a patent granted to others for trade; commanding Governor Sir John Harvey and the Council of Virginia to permit them to do so, as they will answer the contrary at their perils. Given at our manor of East Greenwich, 1631, May 16.

86. VII. Captain William Claiborne's case stated against "Lord

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Baltimore." That Claiborne entered upon the Isle of Kent, unplanted by any man, but possessed by natives, with about 100 men, and there contracted with the natives and bought their right, to hold of the Crown of England to him and his company and their heirs. About three years after His Majesty granted a patent to Lord Baltimore from 38 to 40 degrees of land unplanted. That Claiborne having planted and stocked the island, Lord Baltimore claimed the island to be within his degrees, and so entered by force, and keeps the same and all the stock and cattle there, to the valne of 7,000*l*. 1631.

86. VIII. Commissioned signed by Sir John Harvey, Governor and Captain-General of Virginia, to "my trusty and well-beloved friend Captain William Claiborne, Esquire, one of the Council of State for this Colony." Authorizing him, with the consent of the Council of State, to sail and traffic into the adjoining plantations of the Dutch, seated upon this territory of America, or into any other English Plantations, or to such other rivers, harbours, and places as he shall find occasions (*sic*), in such barks and pinnaces, and with such company of men as shall willingly accompany him; and giving him full power to direct and govern said persons in his said voyage. "Given at James City, the 8th day of March, Anno Domini, after the computation of the Church of England, 1631(–2), and in the five and twentieth year of this Southern Colony of Virginia."

86. IX. Order of Governor Sir John Harvey and the Council of Virginia. On request of Captain William Claiborne how he should demean himself in respect of Lord Baltimore's patent and his Deputies now seated in the Bay, answered that the Council know no reason why they should render up the right of the Isle of Kent more than any other place formely given to this Colony by His Majesty's patent, which, the right of his Lordship's grant being yet undetermined in England, they are bound in duty to maintain. James City, 1634, March 14.

86. X. Examination of the "King of Patuxon" by the interpreter, in the presence of Captains Samuel Matthews, John Utye and William Pierce, and Thomas Hinton; likewise in the hearing of George Calvert, Fred Winter, and divers others, Captain Claiborne also being there; and in the presence of certain Indians whom said King made choice of; in reference to his being a lover of the English nation, and passages that passed between Captain Fleete and the Governor of Maryland. Why the Indians conceived the inhabitants of Maryland to be "Waspaines?" whether Captain Claiborne hath practised with said Indians to fall out with or destroy the inhabitants of Maryland. The King answered, No; and

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that if he had a great basketfull or Roanoke given to him he would not consent to the death of any Englishman; that Captain Fleete bade him tell Captain Claiborne that the great men of Pasbehayes would kill him, and that it would be in vain for him to run away anywhere, for the great men would fetch him from the Isle of Kent or anywhere else; and that Captain Fleete told said King not to go aboard Captain Claiborne's boat, as he would take the King prisoner and tie his arms. 1634, June 20.

86. XI. The Privy Council to the Governor and Council of Virginia. His Majesty, for the better encouragement of the planters, does not intend that the interests which men had settled when you were a corporation should be impeached, that for the present they may enjoy their estates and trades with the same freedoms and privileges as they did before the recalling of their patents. To which purpose the Governor and Council are authorised to dispose of lands to planters, being freemen, as they had power to do before 1625. Captain William Button for his services to the plantation to be allowed land on either side of the river Appomatuck most convenient to himself and his servants. Whitehall, 1634, July 22.

86. XII. The eighth Article of Cecil Lord Baltimore's instructions to his brother, Leonard Calvert, and others, his Lordship's Commissioners for the Government of Maryland. That if possibly they can, without notable prejudice to their own colony, and if Captain William Claiborne continue his unlawful courses, and have not submitted to his Lordship's patent, they seize upon his person, and detain him close prisoner at St. Maries, upon that accusation against him in Captain Fleete's examination; and that they likewise take possession, if they can, of his plantation in the Isle of Kent, till they have further directions what to do. 1634, Sept. 4.

86. XIII. Minutes of a County Court held at St. Maries. A jury of 24 men, sworn to make true presentment of bills in behalf of the Lord Proprietary (of Maryland). William Claiborne, of the Isle of Kent, gentleman, indited for that he with other persons did, on 23rd April 1635, as pirates and robbers, attack Thomas Cornwalleys and his company, in two pinnaces, in the river of Potomac, on the eastern shore, and shoot William Ashmore of St. Maries, of which wound he instantly died. A true bill returned. 1638, Feb. 12.

86. XIV. An Act for the attainder of William Claiborne, gentleman. Whereas William Claiborne is notoriously known to have committed sundry contempts, insolencies, and seditious acts against the dignity, government, and domination of the Lord Proprietary of this province; and to have conspired and contrived sundry mischievous machinations

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and practices with the Indians of these parts, to the subversion and destruction of this colony and the people thereof; and since the making of an Act of Assembly on the 26th February 1634–5, enacting that offenders in all murders and felonies should suffer pains, losses, and forfeitures as in England, said William Claiborne, on 23rd April 1635, hath continued said insolencies, mutinies, and contempts, against said Lord Proprietary and the government of this place; it is enacted that said William Claiborne be attainted of the crimes aforesaid, and forfeit to the Lord Proprietary all his lands and tenements which he was seized of on said 23rd April 1635. St. Maries, 1638, March 24.

86. XV. Warrant of Leonard Calvert [Governor of Maryland] to the Sheriff of the Isle of Kent. To attach the estate belonging to Captain William Claiborne in the Isle of Kent, until he puts in sufficient security to answer the suit of Captain George Eveline for William Cloberry and Company, of London, merchants, in an action for 1,500*l.* sterling, to be held at the Court at St. Maries, in June 1639. 1638, Feb. 26. Copy attested 25th July 1654.

Warrant of Cecil Lord Baltimore to Robert Vaughan, Commander of Palmer's Island. To seize, distrain, and attach to his Lordship's use, all servants, goods, and chattels whatsoever within that island, late belonging to William Claiborne, of the Isle of Kent, and forfeited to his Lordship by the lawful attainder of said Claiborne of piracy and felony. St. Maries, 1638, March 19. Copy attested 25th July 1654.

Warrant of Cecil Lord Baltimore to the Sheriff of the Isle of Kent. To seize to his Lordship's use all the goods and chattels of William Claiborne, gentleman, within his island, and keep them in safe custody until further order from his Lordship. St. Maries, 1638, March 27.

Inventory signed by Robert Vaughan, Sheriff of Palmer's Island, of goods and chattels belonging to William Claiborne within said island, seized by virtue of a warrant from Lord Baltimore. 1638, June 20. Copy attested 25th July 1654.

Warrant of Cecil Lord Baltimore to the Sheriff of the Isle of Kent. That William Claiborne and his partners, William Cloberry and David Morehead, have jointly usurped his Lordship's Isle of Kent, granted to his Lordship by His Majesty's charter under the Great Seal of England, and have defended said island against his Lordship's said just right and title, and driven a trade with the Indians of Maryland, contrary to his Lordship's right and privilege, and have otherwise trespassed and committed wastes on said island to his Lordship's damage of 1,000*l.* sterling; and commanding and authorising said Sheriff to attach all goods and chattels whatsoever

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of said Claiborne and his partners within the said Isle of Kent, and at same time to summon publicly said Claiborne and his partners to appear at some County Court held at St. Maries before 1st February 1640, there to make answer to said misdemeanours, contempts, and seditious practices. Attested copy dated 25th July 1654. St. Maries, 1639, Jan. 2.

Warrant of Giles Brent to the Sheriff of Kent. To seize all debts, goods, and chattels appertaining to William Claiborne, late of Kent, who stands convicted of open hostility within this province (of Maryland) against the Lord Proprietary and his government, and deliver the same into the hands of his Lordship's Receiver-General. 1644, June 3. Copy attested 25th July 1654.

86. XVI. The King to Cecil Lord Baltimore. His Majesty has declared his pleasure that William Cloberry, David Morehead, and other planters in the island (of Kent), near Virginia, should in no sort be interrupted but rather encouraged in so good a work. Understands that contrary to His Majesty's pleasure, Lord Baltimore's agents have slain three persons, possessed themselves of the island by force, and seized the planters and their estates. Strictly commands him to allow the planters and their agents to have free enjoyment of their possessions without further trouble until the case be decided. Greenwich, 1638, July 14.

86. XVII. *Mem.*—That David Morehead delivered the above letter to Lord Baltimore in presence of George Fletcher, merchant, Thomas Bullen, Captain William Claiborne, and William Bennett, and required an answer from his Lordship, in respect the ships were at Gravesend which are bound for Virginia and ready to depart, that he might have his Lordship's letters directed to his agents in those parts, according to the tenor and effect of His Majesty's said letter; he also delivered his Lordship a copy of His Majesty's former letter (*see* 8 *Oct.* 1634 *in the First Volume of this Calendar*). His Lordship's answer was, that he would wait on His Majesty and give His Majesty satisfaction, and would give no other answer until he had spoken with His Majesty.

86. XVIII. Examinations taken *ex parte* William Claiborne in a suit Claiborne against Cloberry and others, in reference to the goods, servants, and supplies sent to the Isle of Kent. This is a closely written document of 71 pages, and contains the examinations of the following persons, all attested, and some of them with the signatures of Sir Francis Wiat, Governor of Virginia, Sir John Harvey, and Captain Samuel Mathews, viz.:—

Thomas Sturman, Thomas Yovall, Thomas Hailes, William Cox, Richard Tomson, Edmond Deering, an[illegible] John Boteler, all of the Isle of Kent; Philip Taylor [illegible]d C[illegible] of

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Accomack, Virginia; Captain Richard Pope of Charles River, Virginia; John Harvey of James City, Virginia; Thomas Woodhouse of Smith's Fort, Virginia; Thomas Adam of Kent, Maryland; John Fullwood at Sandes of same; George Scovell, William Jones, Lucy Purifie, Anthony Linney, Richard Browne, and William Levermore *alias* Cox, all of Kecoughtan, in Virginia. 1640, May.

86. XIX. "Declaration showing the illegality and unlawful proceedings of the Patent of Maryland." Begins with the year 1607, when 50 earls and barons, 350 knights, and 600 gentlemen and merchants of primest rank, became incorporated, and were originally named in the Letters Patents by the name of the Company of Virginia. Chiefly by the cross agitations of two powerful factions in the Company, the work went heavily on for the first 12 years. It was almost shattered to pieces by the fatal blow of a massacre in 1621. The King then strongly advised against the form of the Company's government, as being a nurse of parliamentary spirits, and obnoxious to monarchical government. An order made at the Council table on 8th October 1623 for altering the form of government, but not being submitted to a *quo warranto*, was issued for calling in the patent, advantage being taken of the Company mispleading their patent, which was condemned in Trinity Term following [1624], but for many years after no judgment entered, and to this time not vacated upon the record in the Office of the Rolls, whereby some that sought the overthrow of Lord Baltimore's patent for Maryland in the Parliament of 1640 took out the Virginia patent again under the broad seal of England. Therefore thought by prime lawyers now to be unquestionably in force, and that of Maryland inconsistent and void. Then issued several proclamations and orders from the Council table: That all men with the adventurers and planters should be assured that their rights and interests should be preserved. The interest of the colony deserted by her former friends, and the colony left weltering in her blood in the heat of a war with the Indians, though at last restored to peace and plenty. About 1633, Lord Baltimore obtained a patent for that part now called Maryland, pretending, though not truly, that the greatest part of the country was unplanted, which he hath since held with a few people, debarring those to whom it justly belonged from planting it, destroying and ruinating those formerly seated under Virginia at the Isle of Kent, and interdicting trade with the Indians for furs discovered and begun by them. Describes the evils of the Maryland government to protect chiefly the Roman Catholic religion and suppress the poor Protestants amongst them; the whole frame of govern-

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ment carried on in the Lord Proprietor's name, as if he were absolute prince and king. It were impious to think that the then King or King James, being rightly informed, would ever have granted such a patent as this of Maryland is, being near two-thirds part of the better territory of Virginia, and as no way consistent with equity and honour and public faith. Recites most of the aforesaid public assurances; the Order of Council of 8th October 1623 to assure adventurers and planters against any mistaken fear that their estates should receive prejudice; said Order confirmed by a further order of 20th October 1623, which Orders went sent over and published in Virginia for encouragement of the planters; King James' Commission of 15th July 1624, that his intention was to alter the form of government, but with preservation of the interests of every adventurer and planter. His Majesty's like declaration in his commission to Sir Francis Wyatt, and the like inserted in all King Charles' commissions to his governors of Virginia up to the present time; neither were there any instructions to the contrary given by the Company for the government of the colony. King Charles' proclamation of 13th May 1625, and the letter from the Privy Council of 24th October following; also the King's letter of 12th September 1628, and the letter from the Privy Council of 22nd July 1634, in answer to the complaint from Virginia to the interruption of their trade by Lord Baltimore, were all to the same effect. By all which it appears that howsoever the government could not be reduced but by revocation of the patent itself; yet in respect of said letters and orders the adventurers and planters of Virginia, as to their rights and privileges, according to equity, remain in the same condition as if no such judgment had been given. Arguments in reference to whether Lord Baltimore's patent takes in part that the Virginians had then planted; one of the chief of the five arguments being that we (the Virginians) clearly claim right by possession, having planted the Isle of Kent almost three years before ever the name of Maryland was heard of, and burgesses from that place sat in the assemblies of Virginia. "How "unjust an intrusion will the Lord of Baltimore's patent "appear, which overthrows the interest of so many "noblemen, gentlemen, and poor planters." *This document of six closely written pages is endorsed* "1649." *Several of these enclosures are calendared in the first volume of this Calendar where other documents on this subject will be found.* [*Col. Papers, Vol. XXXIX., Nos.* 44, 44 I.–XIX.]

rch 14. **87.** Journal of the Lords of Trade and Plantations. Ordered that a copy of the Act or Declaration whereby the Council of

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Plymouth surrendered their charter to His Majesty be delivered to the agents of the Bostoners. [*Col. Entry Bk., Vol. CIV., p.* 304.]

[March 14.] **88.** Petition of John Downing, gentleman, inhabitant of Newfoundland, to the King. Recites his previous petitions, the consideration of which His Majesty referred to the Lords of Trade and Plantations to take order therein, but they have not had the opportunity to do so, and petitioner is forced to return to Newfoundland to preserve his wife and family from a repetition of former violences which petitioner has reason to believe will be committed against the inhabitants by the patentees with greater rigour. Prays that the execution of His Majesty's patent about the Newfoundland trade may be suspended for this summer. "Rec^{d} 14 March and read in Council 23 March 1677." [*Col. Papers, Vol. XXXIX., No.* 45.]

March 15. **89.** Journal of the Council of Barbadoes. Present: Governor Sir Jonathan Atkins, Henry Drax, Henry Hawley, Henry Walrond, Samuel Farmer, Samuel Newton, Thomas Wardall, John Peers, and Symon Lambert. Four Acts of Assembly passed, viz., Repeal of an Act for the encouragement of the manufactures of this island; an Act appointing the sale in open market of effects attached for excise, parish dues, and servants' wages; for continuance of an Act entitled an Act for the better ordering and governing of Negroes; and, an Act empowering the freeholders of the parish of St. Peter's, All Saints, to meet and choose a vestry of the freeholders of said parish. [*Col. Entry Bk., Vol. XI., pp.* 293, 294.]

March 15–17. **90.** Journal of Assembly of Barbadoes. Two Acts passed 21st February last read a third time and passed. Ordered, that those members of the House who do not appear to-morrow at the hour of adjournment be fined, and the Speaker, if he fail, double.

March 16. Orders concerning the "filling up" of all strong liquors on shore out of ships in presence of a searcher; also for raising a levy on land, negroes, town traders, and jews, for repairing the fortifications, supporting the Government, and other public occasions; Act passed accordingly, also three other Acts.

March 17. Several Acts passed, including an Act empowering Benjamin Middleton to sell his estate for the payment of his debts. [*Col. Entry Bk., Vol. XIII., pp.* 244–249.]

March 16. Drury Lane. **91.** Lord Anglesey to Secretary Sir Joseph Williamson. Indisposition prevented his going to the Council. Desires him to more for directions to be sent to Newfoundland by the first shipping for all things to continue in that Plantation as they are till His Majesty, upon full consideration, shall settle affairs there as he shall judge best. Several ships from the West have gone already, and others go daily who may disturb affairs there. If orders be not sent to prevent mischief we shall run great hazard to lose that country with the trade and give it up entirely to the French, which he hopes Williamson will prevent by speeding away with orders, the agent

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attending here from that country. 1 *p.* [*Col. Papers, Vol. XXXIX., No.* 46.]

March 16. Barbadoes. **92.** Governor Atkins to Lords of Trade and Plantations. Received their letters of 13th November and made all suitable provision, but advice has since been brought that Sir John Berry and the fleet had safely arrived at Virginia. Has acquainted Secretary Coventry that the French fleet has totally destroyed the Dutch fleet at Tobago, though with great loss to the French who have retaken Cayenne and sent all Dutch prisoners to Martinique, and they may have Surinam for the asking. The Dutch at Tobago in a miserable condition, everything burnt, and must have starved if not relieved from this island. 1 *p.* [*Col. Papers, Vol. XXXIX., No.* 47, *and Col. Entry Bk., Vol. VI., pp.* 159, 160.]

March 20. **93.** Journal of Assembly of Barbadoes. Ordered that Colonel William Bate, Treasurer, pay to Thomas Larkham, gunner of Charles Fort, and his two assistants, 11,262 lbs. of muscavado sugar for salary to 14th instant; also to said Thomas Larkham, 1,772 lbs. as gunner of James Fort from 6 September to 14 January last; also the salaries of William Bragg, gunner of Willoughby Fort, of John Hare, gunner of the New Battery, of John Higinbotham, Clerk of the Assembly, of Joseph Withers, Marshal; and to Paul Gwynn, 5*l.* 15*s.* sterling for accommodation of the Assembly's officers at their several sittings. Several Acts passed, including an Act to suppress seditious conventicles, the House having considered the dangerous consequence of the Quaker's meetings. Address presented to the Governor concerning the sect of people called Quakers who, when elected to the office of Constable, refused to take the oath and were fined at Quarter Sessions, yet gained from the Governor an order of pardon of such fine which the Assembly represent as a grievance to the country, as also that some of the same sect have gained license from the Governor to keep schools in the island which the Assembly pray may be called in and none of the like kind granted in future. Finding their year expired the House ordered the records to be left in the hands of the Speaker until there be a new election of Representatives. [*Col. Entry Bk., Vol. XIII., pp.* 249–251.]

March 21. Swanns Point. **94.** The Commissioners for Virginia to Governor Berkeley. Have complied with the Commission of Oyer and Terminer "that the country might well perceive we came not in the least to countenance but to try and condemn criminals"; but cannot comply with his letter desiring their further sitting on the same occasion without neglect of immediate service of His Majesty. Beg him to be mindful of emergent matters that have long been before him and are yet unanswered, and that he will make it his present care to make out a particular account in writing of all seizures, compositions, fines, and forfeitures which by the late rebellion devolve to the Crown without any diminution, concealment, or embezzlement of all criminals impeached, convicted, sentenced, and executed as well before as since our arrival in Virginia, whereof a

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strict account will be exacted at his return to England 3 *pp.* [*Col. Entry Bk., Vol. LXXXI., pp.* 125–127.]

March ? **95.** Memorandum by Samuel Wiseman [Clerk to the Commissioners for Virginia]. That no answer was returned to the preceding letter, neither did Sir W. Berkeley vouchsafe any more letters to the Commissioners till the occasion of the scandalous postillion. The Commissioners seeing Sir William Berkeley would not comply with their request, caused Wiseman to draw up a Commission, directed to Lieutenant-Colonel George Jordan and Major Theophilus Hone, to empower them to inquire into the estates and forfeitures of delinquents which during the late rebellion devolved to the Crown, which was accordingly done, and an account upon oath taken of the same. [*Col. Entry Bk., Vol. LXXXI., pp.* 128, 129.]

March 22. Swanns Point. **96.** The Commissioners for Virginia to Mr. Watkins. Are now upon preparing their intended despatch for England by Captain Grantham against next week, but take this opportunity to give this general advice, that the face of things is much amended since their arrival, and they hope by degrees this poor country will recover its former peace and prosperity. There is a general submission of the whole Colony and a joyful resentment of His Majesty's royal favour and compassion. [*Col. Entry Bk., Vol. LXXXI., pp.* 130, 131.]

[March 23.] **97.** Petition of John Downing, inhabitant of Newfoundland, to the King. That the inhabitants at His Majesty's restoration had a Governor and fifty-six guns and forts for their security, maintained by the six admiralties and imposts there. They have been neglected by the last patentees, and said inhabitants oppressed and left defenceless, especially to French invasion. Prays His Majesty to appoint a Governor and Minister to live amongst them to whom the inhabitants will allow a competent maintenance, and being allowed guns will erect and maintain forts and pay and secure to His Majesty such imposts and customs as have been accustomed to be received by such Governor. "Read in Council, 23 March 1677." [*Col. Papers, Vol. XXXIX., No.* 48.]

March 25. Swanns Point. **98.** Colonel Francis Moryson to Lady Berkeley. In favour of one Jones, a poor condemned person, whose ignorance chiefly led him from his allegiance, and whose loyalty first brought him hither for refuge. Does not find that he was a bloody malicious rebel, but seduced by the artifice of others. Doubts not she will intercede with the Governor in behalf of this poor unfortunate wretch. [*Col. Entry Bk., Vol. LXXXI., pp.* 178, 179.]

March 25. **99.** Lady Berkeley to Colonel Francis Moryson. There needs only his opinion in the case of Jones to make the Governor consent to it, and he may be pleased to assure Jones' friends that Jones shall be pardoned. [*Col. Entry Bk., Vol. LXXXI., pp.* 180, 181.]

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March 26. Whitehall.

100. Journal of the Lords of Trade and Plantations. In pursuance of an Order of Council of 23rd instant (*see ante, No.* 97) to examine the present state of the fishery and plantations of Newfoundland, and report their opinions what is proper to be done. Mr. Downing complained that the masters of fishing ships molest the planters by violently possessing themselves of their houses, stages, and goods, and threaten to drive them out of the country upon pretence of a charter lately granted by the King, whereby the planters are not to inhabit within six miles of the shore, all which he presumes has been committed contrary to law and former patents granted to others. Arguments of Downing's Counsel; the inconveniences that would follow if the plantation were deserted, the French who have forts and are very numerous would possess themselves of the English part of the island, and by that means interrupt the fishery. The gentlemen and merchants concerned in the west country fishery, among whom were several members of the House of Commons, declared they were unprepared to answer Downing's objections as to the validity of the western charter not having had time to provide themselves with Counsel, but doubt not to be able to make good the right and true grounds of their charter, and desire in the meantime that nothing be concluded to their prejudice. After debate their Lordships agree to report accordingly, and to assign the 10th of April for a further hearing, in order to a final settlement of the whole matter. In the meantime orders to be sent to the Admirals in Newfoundland that no violence be offered by the masters of ships and seamen to the planters upon pretence of the western charter, but to permit them to inhabit and fish according to the usage of past years. And that the inhabitants be directed to continue on their parts a good correspondence with the fishermen until His Majesty proceed to a further resolution. The parties concerned are then again called in and declare themselves satisfied with the present resolution. [*Col. Entry Bk., Vol. CIV., pp.* 305–307.]

March 26. Council Chamber (Whitehall).

101. Report of Lords of Trade and Plantations to the King. Have taken into consideration the present condition of the fishery and plantations of Newfoundland, and called before them John Downing of Newfoundland, appearing on behalf of the Colony also several gentlemen of the west country and merchants concerned in this fishery who ask for fifteen days to make out their pretensions to the validity of their charter, which reasonable request their Lordships could not but allow. But in the meanwhile, lest the inhabitants should be molested by the masters of the fishing ships upon pretence of their charter, whereby no person is to inhabit within six miles of the shore, and for the maintenance of peace, humbly offer that orders be sent by the St. John, now lying at Dartmouth, to the Admirals in Newfoundland, directing masters and seamen fishing this year to forbear any violence to the planters, upon pretence of said charter, and suffer them to inhabit and fish according to the usage of past years. *Draft with corrections, also fair copy signed by* Anglesey, Danby, Ormonde, Carlisle, Craven,

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Fauconberg, J. Bridgewater, and Robert Southwell. 3 *pp. and* 2 *pp.* [*Col. Papers, Vol. XXXIX., Nos.* 49, 50.]

March 26. Port Royal. **102.** Minutes of the Council of Jamaica. Present: The Governor, Colonel John Coape, Colonel Charles Whitfield, Colonel Arthur Collyer, and Colonel William Ivey, *besides some of those named, ante No.* 39. The Provost Marshal brought in the returns of the elections, viz.:—

St. Elizabeth's, Major Richard Scott and Thomas Raby.
St. Ann's, Richard Hemmings and Benjamin Smith.
St. George's, Charles Morgan and George (? Robert) Philipps.
St. Maryes, Charles Atkinson and Thomas Trapham.
St. Thomas, Edward Stanton and Clem. Richardson.
St. David's, Thomas Reeves and Thomas ? Fargoe.
St. Andrew's, Samuel Barry and Richard Brayne.
Port Royal, William Beeston, Ant. Swimmer, and Hartbottle Wingfield.
St. Thomas in the Vale, George Nedham and Fulke Rose.
St. John's, Whitgift Aylemore and Richard Offeild.
St. Jago de la Vega (St. Katherine), Samuel Bernard, John Bourden, and William Bragg.
Clarendon, Tnomas Sutton and Jonathan Ashurst.
Vere, Andrew Knight and Andrew Langley.
St. Dorothy's, John Colebeck and Theodore Cary.

Ordered that masters of wherries give security not to carry any person without the fort without a license. Adjourned to 4th April. [*Col. Entry Bk., Vol. XXXV., pp.* 550–552.]

March 27. Swanns Point, James River. **103.** The Commissioners for Virginia to Secretary Coventry. Although the Assembly have sat a whole month they have not proceeded to answer the joint letter of the Commissioners. Have sat together on the Commission of Oyer and Terminer, both at the trial and condemnation of seven or eight of the most notorious criminals, and openly advised to have them executed in their own respective counties, nor have they been wanting by all means to make the people rightly apprehensive of His Majesty's most transcendant acts of favour and indulgence to his oppressed and seduced subjects, which have been generally received with suitable impressions of joy. Good and timely effects of His Majesty's Proclamation and other gracious acts of mercy and pardon. Bacon's death was not pretence enough to frustrate and stifle this proclamation or suspend the punishment of it, so long as Lawrence, a Colonel and grand accomplice of Bacon's, a most stubborn, desperate, and resolved rebel (with others fit to head a new faction) is still out, but rather that Berkeley might impose on the ignorant his own terms and conditions as nevertheless he has endeavoured to do. They have been mistaken or deceived in their former character of Berkeley; he has since appeared much contrary to his first professions. While Berkeley continues Governor upon the place, things will never be put into that peaceable posture and happy composure desired and by the Commissioners endeavoured, for it is his only artifice to persuade

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the people that Colonel Jeffreys is but his deputy and that he shall next year return Governor again. The general grievances like to come within a very narrow compass, that of the great salary at this time under the Assembly's consultation and redress; the main grievances chiefly concern Fort money and other public accounts, and levies of this Colony proper also for redress of the Assembly. Complain of Berkeley's studied evasions and his interrupting and diverting the course of their proceedings and the ill effects; also of his illegal and arbitrary proceedings as to seizures of estates of persons not convicted of any crime; they are pursued every day with petitions and complaints of this nature. They declared their opinion in open court that the country might perceive they did not combine with or connive at such unwarrantable practises. Have heard he hath compounded several treasons, &c., for hogsheads of tobacco, cattle, &c. Hope this candid relation may not be mistaken at home as if there were any feuds or differences between them and the Governor. The gaol is now almost clear, the Governor having condemned some and pardoned and transported others. Complain as pernicious to His Majesty's interest the dispersing of copies of the King's private additional instructions, a rebel having publicly produced and pleaded in open court a copy which the Governor called God to witness he has never let go out of his hands or trunk. Readiness of the Indians to enter into a firm peace with the English which they hope a short time will accomplish. It will not be long before the Assembly rise when they will send by the Deptford ketch a more ample account of their proceedings. 16 *pp.* [*Col. Entry Bk., Vol. LXXXI., pp.* 132–147.]

March 27. **104.** Queries for the learned Counsel at law to resolve [sent with the Commissioners letter of this date to Secretary Coventry]. Whether a person dying before conviction his estate be forfeited to the King. Whether persons' estates condemned and executed by court martial and not by a legal jury of twelve men be forfeited. Whether any seizure be legally executed before conviction or attainder. Whether the estates of banished or transported persons be liable to seizure and forfeiture. [*Col. Entry Bk., Vol. LXXXI., pp.* 147, 148.]

March 27. Swanns Point. **105.** The Commissioners for Virginia to Secretary Coventry. The occasion of their coming and present residence here, no house being within four or five miles, invites a constant resort of people from all parts of the country upon public business whom they are forced to entertain at no small expense. Beg he will lay this their pressure before His Majesty so that a limited salary may not include an unlimited stay and expense. 3 *pp.* [*Col. Entry Bk., Vol., LXXXI., pp.* 149–151.]

March 27. Swanns Point, James River. **106.** Colonel Herbert Jeffreys, Sir John Berry, and Colonel Francis Moryson to Secretary Sir Joseph Williamson. The peoples return to their obedience has been as general as their late disloyal revolt, and had the Governor been as open handed as his Majesty's acts of mercy, the whole country would now be composed.

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Complaints against Governor Berkeley for treating men as delinquents before any due attainder, seizing their estates and making their tobacco for his private use. How the merchants and factors complain of their trade being retarded and their ships made gaols for rebels and refugees without any recompense. Have observed that those who call themselves the loyal party are the only chief disturbers and obstructers of this calamitous country, so that now nothing but a general penal act of oblivion can make up these breaches. Advised the hanging in chains in his own county of one Arnold, a horrible resolved rebel and traitor. Have now no reason to fear any new mutiny, but have advised a stop to this rigid prosecution, and the Assembly have also by address voted the Governor to forbear and hold his hand from all future sanguinary punishments. [*Col. Papers, Vol. XXXIX., No.* 51; *also Col. Entry Bk., Vol. LXXXI., pp.* 152–159.]

March 27. Swanns Point. **107.** Colonel Francis Moryson to Mr. Cooke. The Commissioners doubt not but matters will be shortly composed to His Majesty's satisfaction if Sir W. Berkeley would please, but with freedom to permit His Majesty's acts of grace to pass as His Majesty royally intended them. To acquaint Secretary Coventry how he has managed that affair he left Moryson to acquaint the country with; his Royal Highness' promise that the two patents shall be taken in and vacated, without any charge to the country, which he has made known to the Assembly. His gratitude for being joined with his worthy and generous fellow Commissioners, a fitter person than Colonel Jeffreys could not have been found to quell this rebellion; Sir John Berry, of unbiassed principles, prudent conduct and unwearied industry for the service. Protestations of his own sincerity as an agent and in his present character. The straitness of his salary and fortune, desires Secretary Coventry's exertions in his behalf. 8 *pp.* [*Col. Entry Bk., Vol. LXXXI. pp.* 160–167.]

March 27. **108.** Colonel Herbert Jeffreys, Sir John Berry, and Colonel Francis Moryson to Thomas Watkins. Directions as to public papers sent for Secretary Coventry and the Lord Treasurer. The country in a peaceable quiet condition; all that obstructs it is the Governor's abiding upon the place and the fierceness of those who call themselves the loyal party, which are not many, and among them not twenty eminent sufferers in estate. Their rapacious insolence exasperates the other party and their importunate solicitations to try and condemn the guilty party "which indeed is little less than the whole country." The necessity of a general act of oblivion, which the Assembly will hardly be brought to without His Majesty's express injunctions compel, as in the case in England. The general grievances, so few and trivial that but for the Governor's contrariety they see no further occasion to stay a fortnight. Have been forced to urge again and again their instructions for retrenching the great salary of the Assembly, now reduced to 120 lbs. per diem, the very lowest allowance the

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burgesses can support their charges under. The estates of tobacco, cattle, &c., carried off by the Governor. Bland executed this day at James Town. Fines imposed by the Governor detested by Jeffreys and his officers. [*Col. Papers, Vol. XXXIX., No.* 52; *also Col. Entry Bk., Vol. LXXXI., pp.* 168–175.]

March 27. Swanns Point. **109.** The Commissioners for Virginia to the Lord Treasurer of England. Send transcript of a joint letter to Sir W. Berkeley with his answer, and copies of petitions relating to His Majesty's revenue, which they thought it their duty to advertise him of referring him for further satisfaction to other letters which Mr. Watkins will communicate to his Lordship. [*Col. Entry Bk., Vol. LXXXI., pp.* 176, 177.]

March 28. Whitehall. **110.** Order of the King in Council. Approving report of Lords of Trade and Plantations concerning Newfoundland (*see ante, No.* 101), and directing their Lordships to prepare and dispatch forthwith to the Admirals of the several ports and harbours in Newfoundland said orders accordingly. 1¼ *pp.* [*Col. Papers, Vol. XXXIX., No.* 53.]

March 29. James River, Virginia. **111.** William Sherwood to Secretary Sir Joseph Williamson. The confusions and ruins caused by the late horrible rebellion. On his return, his houses and goods were consumed amounting to at least 1,500*l.* This general destruction and Governor Berkeley's severe proceedings had put this country into a desperate condition but for the arrival of His Majesty's Commissioners. The people have cause to complain though not to rebel. The Governor seems backward in returning to England, but presumes our long-winded Assembly sitting prevents Colonel Jeffreys from acting as Governor though it is generally hoped he will soon do so. The bearer, Captain Grantham, infinitely serviceable in reducing the country from ruin can particularly inform of all things. 1 *p.* [*Col. Papers, Vol. XXXIX., No.* 54.]

March 29. **112.** Certificate of Governor Berkeley for the receipt of goods and two servants consigned to William Hunt in the Richard and Elizabeth, Captain Nicholas Pryn, according to a bill of lading annexed. 2 *pp.* [*Col. Papers, Vol. XXXIX., Nos.* 55, 55 I.]

March 30. Whitehall. **113.** Orders of Lords of Trade and Plantations to the Masters of the fishing vessels riding as Admirals in the several harbours of Newfoundland, and to the Planters thereof, and all other persons whom it may concern (*see ante, No.* 101). 1 *p.* [*Col. Papers, Vol. XXXIX., No.* 56.]

March 30. Whitehall. **114.** Similar Orders sent by John Downing to the several Harbours of Newfoundland, as follows, viz. :—

St. John's.	Carboneare.	Porta Grave.
Trepassa.	Tar Bay.	Solvage.
Renoose.	Witless Bay.	Silly Cove.
Fermoose.	Bonavista.	Bay Roberts.

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Ferriland.	Little Harbour.	Toads Cove.
Capelin Bay.	Haver de Grace.	Barrow Harbour.
Cupid's Cove.	Balline.	Bona Ventura.
Petty Harbour.	Old Perlican.	Brigass in the North.
Brisket Bay.	The Bay of Vards.	Muskeeto Bay.
Quide Vide.	Harbour Maine.	Trinity.
Bay of Bulls.		

2 *pp.* [*Col. Papers, Vol. XXXIX., No.* 57.]

March 31. Whitehall. **115.** Journal of Lords of Trade and Plantations. In pursuance of the Order in Council of 7th February 1677 (*see ante, No.* 47), Mason and Gorges on one side, and the Boston agents on the other, are heard by Council, who having made objections against the validity of the petitioners' grants, their Lordships are of opinion that they cannot proceed to examine the respective titles without the assistance of the Lords Chief Justices of the Queen's Bench and Common Pleas, who were ordered to attend, but not as yet summoned, as it was thought their Lordships would just have entered upon the matter of fact complained of by the petitioners. Hearing put off till Thursday (5th April), when the Judges are desired to attend by a letter, as follows:—

April 3. Lords of Trade and Plantations to the Lords Chief Justices Rainsford and North. Desiring their attendance, and enclosing Order in Council and abstract of the grants. [*Col. Entry Bks., Vol. LX., p.* 199, *and Vol. CV., pp.* 7, 8.]

March. **116.** Grievances of James City County, Virginia, presented by Colonel Robert Holt and William Sherwood, one to his Majesty's Commissioners the other to the Assembly of Virginia. In 10 Articles which refer to the imposition of 2*s.* per hogshead on tobacco; the money paid yearly for Fort duties; the Indians painting and disguising themselves; the slow prosecution of the Indian War, a main cause of the late rebellion; the often meeting of Assemblies; that they have liberty to keep guns and ammunition for their own preservation. *Signed by* George Woodward, Will Browne, Mathew Collins, Nicholas Bush, and others. *Also,* The Answers of Her Majesty's Commissioners. *Endorsed,* "Brought March 16." *Two papers.* 4 *pp.* [*Col. Papers, Vol. XXXIX., Nos.* 58, 59; *also Col. Entry Bk., Vol. LXXXI., pp.* 293-297.]

March. **117.** Grievances presented by Rappahanock County to his Majesty's Commissioners for Virginia and to the Grand Assembly. Under fifteen articles. The want of able, pious, and orthodox Ministers, and the due administration of Divine ordinances; that peace be concluded with the Indians; the imposition of 2*s.* per hogshead on tobacco; the levy of taxes; qualifications for judges; the meetings of the Assembly and General Court. *Signed by* Warwick Cammock, Alex. Doniphann, Henry Torndey, Elen Awley, and Thomas Gouldman. *Also,* The Answers of His Majesty's Commissioners to same. *Two papers.* 5 *pp.* [*Col. Papers, Vol. XXXIX., Nos.* 60, 61; *also Col. Entry Bk., Vol. LXXXI., pp.* 297-300.]

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March. **118.** Grievances of the Inhabitants of the upper parts of Citternborn parish in the county of Rappahanock, presented and signed by Cadwalladen Jones and John Bowsie, to His Majesty's Commissioners for Virginia. Under fourteen heads. Concerning the Indian war; the levies of 1674 and 1675, and how disposed of; the impost upon tobacco; the Militia who should not sit in the Courts of Judicature; the approach of the Indians; a supply of arms and ammunition. *Also*, The Answers of the Commissioners to the same. *Two papers.* 6 *pp.* [*Col. Papers, Vol. XXXIX., Nos.* 62, 63; *also Col. Entry Bk., Vol. LXXXI., pp.* 300–302.]

March. **119.** Grievances of the inhabitants of Stafford County, Virginia, presented to His Majesty's Commissioners, under seven heads, signed by Richard Gibson, Samuel Hayward, and eight others. Against the burthen of Annual Assemblies; of the 2*s.* per hogshead; of the incursions of the Indians, and paying towards the building of forts. *Two copies. Also*, The Answers of the Commissioners to same. *Three papers.* 5 *pp.* [*Col. Papers, Vol. XXXIX., Nos.* 64–66; *also Col. Entry Bk., Vol. LXXXI., pp.* 302, 303.]

March. **120.** Minutes of a meeting of the Commission of Stafford County, Virginia. The several proclamations and declarations being read, the persons named took hold of His Majesty's and the Governor's pardon and accordingly took the oath of allegiance, but said oath being tendered to Jonah Revelt, a freeholder and housekeeper, he utterly refused to take the same. 1 *p.* [*Col. Papers, Vol. XXXIX., No.* 67.]

March. **121.** Representation of the people of Surrey County, Virginia, to the Grand Assembly. Earnestly desire them to draw up, in behalf of the whole country, a most humble submission to His Majesty, with a letter of request to the Duke of York to intercede with his brother to be restored to His Majesty's good grace and favour as formerly, that the Assembly would make an Act of Oblivion, and that no person for the future may be abused by injurious and provoking names, with list of grievances which they desire may be remedied. 4 *pp.* [*Col. Papers, Vol. XXXIX., No.* 68.]

March. **122.** Grievances of the inhabitants of Surrey County presented to His Majesty's Commissioners for Virginia, and signed by Thomas Busby and George Procter. Under 19 heads. The pressure of frequent assemblies and great charge of the members salaries; the quantity of tobacco raised for building houses at James City; the levy raised for building forts and the insufficiency of their defence; the imposition of 2*s.* per hogshead; seizure of estates before the owner is convicted of any crime; and erecting forts. *Also*, The Answers of the Commissioners. *Two papers.* 4 *pp.* [*Col. Papers, Vol. XXXIX., Nos.* 69, 70, *and Col. Entry Bk., Vol. LXXXI., pp.* 304–307.]

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March. **123.** Return of William Peirce, John Lord, and Thomas Youll to a warrant of Governor Sir William Berkeley addressed to the High Sheriff of the county of Westmorland. For calling a court and summoning the inhabitants to draw up their several grievances to present to His Majesty's Commissioners for Virginia; that they have met and find no grievance presented to them. 1 *p.* [*Col. Papers, Vol. XXXIX., No.* 71.]

March. **124.** "The Proposals of Westmorland County to the Grand Assembly of Virginia," being their grievances under 12 heads. Concerning a day to be set apart for thanksgiving for restoring Virginia from the late rebellion; the propagation of the gospel; removing scandalous ministers and strict observance of the Sabbath day; the punishment of those engaged in the late rebellion; every man to be settled in possession of his land and estate; an address to His Majesty for pardon for the late rebellion. *Also,* The Answers of the Commissioners to same. *Two papers.* 3 *pp.* [*Col. Papers, Vol. XXXIX., Nos.* 72, 73; *also Col. Entry Bk., Vol. LXXXI., pp.* 307–309.]

March. **125.** Grievances of the inhabitants in general, that is to say, housekeepers and freeholders of Northampton County, committed to their burgesses to present to the Governor, Council, and Burgesses of Virginia. In reference to the division of the county; liberty to choose a new vestry; the repeal of the Act for killing wolves, bears, &c.; taxation; taking copies of records on paying fees; liberty of appeal; selling drink within a mile of the court-house on court days; against petty tipling houses; the absence of magistrates from their duty; qualification for office. *Also,* The Answers of His Majesty's Commissioners. *Two papers.* 4 *pp.* [*Col. Papers, Vol. XXXIX., Nos.* 74, 75; *also Col. Entry Bk., Vol. LXXXI., pp.* 309–312.]

March. **126.** Grievances of the inhabitants of the County of Accomack, delivered to Sir John Berry, one of His Majesty's Commissioners for Virginia, by Mr. Littleton, of the House of Burgesses, on 29th March 1677. In reference to their great losses through hindering the rebels landing, and protecting Governor Berkeley, and desiring that he may be continued Governor; that their county be free from country taxes for 21 years, exempted from defraying any part of the charge of the late rebellion and from quit-rents for many years. *Also,* The Answers of His Majesty's Commissioners, who say His Majesty hath an eminent object for his royal favours in this truly loyal county. [*Col. Papers, Vol. XXXIX., No.* 76; *also Col. Entry Bk., Vol. LXXXI., pp.* 312, 313.]

March. **127.** Instructions from the inhabitants of Lancaster County to their Burgesses Colonel William Ball and Major Edward Dale, to be by them presented to the Assembly for redress. That the war against the Indians be more speedily and effectually prosecuted, and all trade with them prohibited upon pain of death. That losses by the late rebellion be borne by the sufferers, and delinquents

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estates given to the poor and loyal sufferers. That this county be divided into two divisions, and the courts be kept in some part of York River. That the 2*s.* per hogshead be employed to the uses for which it was first raised after the Governor is paid his dues settled by His Majesty. That the Acts be revived against hog stealing, and for the encouragement of servants; against the frequency of assemblies and their long sittings. The incapacity of our forts for offence and defence; that the money in bank be employed in purchasing arms and building magazines for the people's security. *Also*, The Answers of His Majesty's Commissioners for Virginia. *Two papers.* 3 *pp.* [*Col. Papers, Vol. XXXIX., Nos.* 77, 78; *also Col. Entry Bk., Vol. LXXXI., pp.* 313, 314.]

March. **128.** Certificate of John Stritchley on behalf of the inhabitants of Lancaster County to His Majesty's Commissioners for Virginia. That they have no more grievances to present than what they have returned already, and have nothing to say against the Government. 1 *p.* [*Col. Papers, Vol. XXXIX., No.* 79.]

March. **129.** Grievances under eight heads of the inhabitants of Warwick County, certified by their Burgesses, John Langhorne and Francis Rice, and presented to His Majesty's Commissioners for Virginia. Justification of their conduct during the rebellion; thankfully embrace the King's pardon and desire that all taxes upon them be imposed by the Assembly; against taxing by poll; no person to have two places of profit; the limitation of attorneys' fees and regulating of clerks' fees. *Also*, The Answers of His Majesty's Commissioners to same. *Two papers.* 3 *pp.* [*Col. Papers, Vol. XXXIX., Nos.* 80, 81; *also Col. Entry Bk., Vol. LXXXI., pp.* 315, 316.]

March. **130.** Grievances of the inhabitants of the Isle of Wight County. [*Endorsed*]: "For the Burgesses. To be perused and returned to His Majesty's Commiss^{rs}. Sam. Wiseman." Excuse themselves for taking up arms in the late rebellion as being necessitated by the reasons set forth and complain of the oppressions of Colonel John Bridger; of the great taxes; of employment of Indian forces to apprehend their Christian neighbours; the seizure of estates before conviction; against sheriffs holding office more than one year. These grievances consist of 26 articles, and are signed by Richard Jorden, senior, "one of Bacon's representatives," Richard Penney, "a very busy man in these times," John Marshall, Edward Miller, "an armless poor man," John Davis, "one that hath been in arms against the Government," and Thomas Fulgham, "a busy person that brought this paper to the rest to subscribe, which was written by Marshall's servant at the desire of the subscribers hereof." *Also*, The Answers of His Majesty's Commissioners, *with Mem.*—There is remaining in our hands a protest against these grievances as complained of without cause by another part of the same county. *Two papers. Together*, 10 *pp.* [*Col. Papers, Vol. XXXIX., Nos.* 82, 83, *and Col. Entry Bk., Vol. LXXXI., pp.* 316-319.]

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March. **131.** Humble remonstrance of divers of His Majesty's loyal subjects in the upper parish of the Isle of Wight County to His Majesty's Commissioners for Virginia. Against the grievances complained of without cause by another part of the same county. *Signed by* John Bridger, John George, James Powell, Edward Wickins, and 68 others. *Endorsed:* "To be perused and returned to his Maj. Commissioners. Sa. Wiseman." 2 *pp.* (*Col. Papers, Vol. XXXIX., No.* 84.)

March? **132.** Petition of His Majesty's most loyal and obedient subjects of the Isle of Wight County in Virginia to His Majesty's Commissioners. In behalf of William West, "a rebel absconding," who took up arms against the Indians by whom his father was most barbarously murdered, was taken prisoner, carried aboard a ship, from hence to prison and condemned to death, but has made his escape, and, as yet, cannot be heard of. Pray for his life and the restitution of his estate to his wife and children. Signed by about 70 persons mostly with their mark. 2 *pp.* [*Col. Papers, Vol. XXXIX., No.* 85.]

133. Grievances of the inhabitants of the parish of Blisland, in the county of New Kent, presented to His Majesty's Commissioners for Virginia. Under six heads, viz., the 60 lbs. (of tobacco) per poll; the many murders, rapines, and depredations by the Indians; the extortions of Sheriffs: selling strong liquors where the county courts are kept; of the Fort duties as misemployed and of the 2*s.* per hogshead. *Also,* Answers of His Majesty's Commissioners to the same. *Endorsed,* "Brought April 4th, Col. Jeffreys and Sir John Berry absent." *Two papers.* 3 *pp.* [*Col Papers, Vol. XXXIX., Nos.* 86, 87, *and Col. Entry Bk., Vol.* 81, *pp.* 319, 320.

March. **134.** Grievances of part of the inhabitants of Elizabeth City County under two heads presented to His Majesty's Commissioners for Virginia. In reference to the great charge by the frequent meeting of assemblies and the high rate of the levy of tobacco upon them by reason of their not being above 300 tytheables in their small county. Certified by the representatives of said County—Anthony Armistead and Ber. Servant. *Endorsed,* "Brought in March 9th." *Also,* The Answer of His Majesty's Commissioners to the same. 2 *pp.* [*Col. Papers, Vol. XXXIX., Nos.* 88 *and* 89; *also Col. Entry Bk., Vol. LXXXI., p.* 320.]

March? **135.** Grievances of the inhabitants of Henrico County presented to His Majesty's Commissioners for Virginia under six heads. In reference to the evil consequences of the monopoly of the Indian trade; the uselessness of the forts built to defend them from the Indians and their murders and incursions; the heavy taxes and especially the 60 lbs. per poll. Signed by William Glam, John Pleasants, Solomon Knibbe, Will Hatcher, and John Lewis. *Also,* The Answers of His Majesty's Commissioners to same. *Two*

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papers. 3 *pp.* [*Col. Papers, Vol. XXXIX., Nos.* 90 *and* 91; *also Col. Entry Bk., Vol. LXXXI., pp.* 321, 322.]

March. **136.** Grievances under twelve heads presented by the inhabitants of York County by their Burgesses, Thomas Roberts and John Tiplady, to His Majesty's Commissioners for Virginia. Justifying Sir W. Berkeley from all blame in reference to the rise and occasion of the late rebellion and attributing it only to disaffected persons, their pretence being the dilatory proceedings of the Assembly against the Indians. Complaint of the too frequent meetings of the Assembly; that the chief and only town being burnt may be built at Middle Plantation; for liberty to export wheat and to import salt; against extortionate fees; about Thomas Hansford's estate, who was executed; and reviving a law for advancing the price of tobacco; Courts of Justice taxes. *Also,* The Answers of His Majesty's Commissioners to same. That as to the first part, they in charity believe it, but refer to the general complaints from all other counties in Virginia in reference to the dilatory proceedings for security of the people against the Indians. *Two papers.* 4 *pp.* [*Col. Papers, Vol. XXXIX., Nos.* 92 *and* 93, *and Col. Entry Bk., Vol. LXXXI., pp.* 323, 324.]

March. **137.** Grievances presented by the inhabitants of Gloucester County to His Majesty's Commissioner for Virginia. The imposition of 2*s.* per hogshead laid on tobacco by the Assembly about 17 years since; of the 60 lbs. per poll; of the great number of Christians murdered by the Indians and the ill-management of the war; confirmation of laws made by the June Assembly of 1676 before Bacon's rebellion, and restitution of estates plundered by the rebels; against Major Robert Beverley; for arms and ammunition; against the too frequent meetings of the Assembly. *Signed by* Phillip Lightfoot, and nine others. *Also,* The Answers of His Majesty's Commissioners. 3 *pp.* [*Col. Papers, Vol. XXXIX., No.* 94, *and Col. Entry Bk., No.* 81, *pp.* 325–327.]

March. **138.** Grievances presented by the inhabitants of Lower Norfolk to Governor Sir William Berkeley, the House of Burgesses, and His Majesty's Commissioners for Virginia. In reference to a fort erected at Point Comfort; the levy of 60 lbs. of tobacco per poll; to be exempt from all public charge arising from the late rebellion; liberty to export tobacco to any of the plantations without paying the impost payable by Act of Parliament; the abuse of putting strangers into places of great honour; and prohibiting the selling of ammunition to the Indians. *Also,* The Answers of His Majesty's Commissioners. [*Col. Papers, Vol. XXXIX., No.* 95, *and Col. Entry Bk., No.* 81, *pp.* 327—328.]

March. **139.** The first grievances presented by the inhabitants of Nancymond County to His Majesty's Commissioners for Virginia. Under 20 heads beginning with a preamble of the rise and occasion of the late distractions, tumults, and disturbances in Virginia, and

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hearty expressions of sorrow for their late disloyalty. Complain of the uselessness and charge of forts built in the woods against the Indians; desire the confirmation of the Acts of June 1676; war with all Indian nations, an excuse for sending men to Bacon's army; for the restitution of arms taken from them; that they pay no tax this year; the accusations against the two Lears; oath imposed upon them by the Commissioners; leave to buy powder and shot; to pay nothing towards useless forts; collectors of the levy for building a fort at Point Comfort to be called to account; the use of the 60 lbs. levy against Castle duties; justices, clerks, and sheriffs pleading in their own Courts; bounds of their county; laws to be irrevocable. 6¼ *pp.* [*Col. Papers, Vol. XXXIX., No.* 96.]

March. **140.** The second grievances of the inhabitants of Nancymond County presented to His Majesty's Commissioners for Virginia. Complain against the forts on the frontiers, that they were pressed under Bacon by the lawful magistrates, and such as refused were forced thereto by the militia officers; against men holding more than one office at a time as Colonel Lear, and against the great taxes imposed the last three or four years; for an account of the 62 lbs. of tobacco per poll. *Also,* The Answers of His Majesty's Commissioners to the first and second heads of grievances. *Signed by* 122 persons, many by mark only. *Two papers.* 6 *pp.* [*Col. Papers, Vol. XXXIX., Nos.* 97 *and* 98, *and Col. Entry Bk., Vol. LXXXI., pp.* 329–333.]

March. **141.** Remonstrance of divers of His Majesty's loyal subjects of the county of Nancymond to His Majesty's Commissioners for Virginia. Humbly beg the King's pardon condemning those who, instead of so doing, rather seem to justify than deplore their late wicked defection, and declaring that it is their greatest grievance that even they should have occasion of His Majesty's pardon, which they own they have in some measure reason to beg, and lay hold of and are thankful for. *Signed by* Thomas Godwin, Thomas Milner, John Lear, David Lear, James Jossy, and 42 others. 2 *pp.* [*Col. Papers, Vol. XXXIX., No.* 99.]

March. **142.** Return of John Mottrom, Sheriff of Northumberland County, to a warrant of Governor Sir William Berkeley of 3rd February last, to call a county court to inquire into the grievances of said county; that His Majesty's proclamations and declarations have been published, and the people have unanimously declared no grievances. 2 *pp.* [*Col. Papers, Vol. XXXIX., No.* 100.]

March to May. **143.** The personal grievances of divers inhabitants of Virginia to His Majesty's Commissioners, as follows, viz.:—

Petition of the four poor distressed orphans of Anthony Arnold to the Commissioners for Virginia. For restitution of their father's small estate, who was executed for being concerned in Bacon's rebellion. 1 *p.* [*Col. Papers, Vol. XL., No.* 1.]

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145. Petition of Thomas Bobby of James City County, Planter, to His Majesty's Commissioners for Virginia. Against Hartwell for imprisoning him and forcing him to pay a composition of 500 lbs. of pork, 200 lbs. of bacon, and 100 lbs. of butter. With deposition upon oath annexed, and memorandum that it was owned by Hartwell himself. 1677, April 20 and May 19. *Together, three papers.* [*Col. Papers, Vol. XL., Nos.* 2–4.]

146. Petition of Richard Clarke, of New Kent County to His Majesty's Commissioners for Virginia. Although he was seduced into the late unhappy rebellion, he truly repenteth himself and continued quietly under his own roof; that armed men under the command of Roger Potter and Bryan Smith, with others, carried away his servants and goods to the amount of 400*l.* sterling; prays for examination into the same. With deposition on oath annexed, and order of the Commissioners thereon, part of said estate being in the possession of Major Robert Beverley. 1677, May 19. *Two papers.* 2 *pp.* [*Col. Papers, Vol. XL., Nos.* 5, 6.]

147. Petition of John Dean of James City County, Planter, to the Commissioners for Virginia. Confessing and repenting having taken Bacon's oath, and that he has laid hold of His Majesty's pardon, and praying remedy against Hartwell for seizing his whole crop of tobacco. With deposition on oath annexed. 1677, March 6. 2 *pp.* [*Col. Papers, Vol. XL., No.* 7.]

148. Elizabeth Dudley, James Dudley, Thomas Dudley, and William Dudley to James Cary, living at the "Dager" in Watling Street. The distractions of this Colony by the wise carriage of His Majesty's Commissioners are most happily reconciled and in a posture of quiet and peaceable settlement for the future. Beg his assistance in relation to certain hogsheads of tobacco seized from their deceased father unjustly by Sir William Berkeley and illegally converted to his own use. Virginia, 1677, April 25. 1½ *pp.* [*Col. Papers, Vol. XL., No.* 8.]

149. Petition of Thomas Glover of James City County, Planter, to His Majesty's Commissioners for Virginia. Against William Hartwell for imprisoning him five weeks and forcing him to give a horse for his discharge of the value of 1,200 lbs. of tobacco. *Also* Deposition of Thomas Glover and Francis Robinson, *and Mem.*—That Hartwell owns what the petitioner alleges was by the Governor's order. 1677, April 20 and May 19. *Together, three papers.* [*Col. Papers, Vol. XL., Nos.* 9–11.]

150. Petition of Andrew Goedean of James City County, Planter, to His Majesty's Commissioners for Virginia. Against William Hartwell for imprisoning him ten days until he passed an obligation for five months' work. *With Mem.*—That Hartwell owns imprisoning petitioner, but denies the rest. *Also* Affidavit of petitioner. *Two papers.* 1677, May 19. [*Col. Papers, Vol. XL., Nos.* 12, 13.]

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151. Complaint of Henry Gord, addressed to the Commissioners for Virginia. Against Captain Roger Potter, jailer of the prison at Green Spring, where he had been confined one month by the Governor's orders, for not suffering him to leave without giving him a cow and a calf. 1 *p.* [*Col. Papers, Vol. XL., No.* 14.]

152. Petition and Grievance of William Hoare of James City County, Planter, to His Majesty's Commissioners for Virginia. Against Hartwell for detaining him prisoner ten days and taking from him his cattle, hogs, and other goods, and for demanding ten thousand pounds of pork to save his life. *Also* Hoare's certificate to the truth of the above, *and Mem.*—That Sir William Berkeley demanded the pork to save Hoare's life, confessed to be true by James Garey, the Governor's servant. 1677, April 20 and May 19. *Two papers.* [*Col. Papers, Vol. XL., Nos.* 15, 16.]

153. Petition of Henry Jenkins of James City County, Tanner, to the Commissioners for Virginia. Against Sir William Berkeley for seizing his cattle under pretence that petitioner had some raw hides belonging to the Governor, but which Bacon's soldiers had taken and brought from Green Spring. With two depositions on oath annexed. 1677, April 20. *Together, three papers.* [*Col. Papers, Vol. XL., Nos.* 17–19.]

154. Petition of John Jennings, of Isle of Wight County, to the Commissioners for Virginia. To be admitted to take the oath of allegiance and to be included in His Majesty's pardon, being truly sorry for his acting in the late rebellion, and that he may have his estate released to him. *Endorsed :* "Pet. was ordered to be banished into England, but falling sick is respited till next shipping, unless His Majesty admit him to the benefit of his pardon." 1 *p.* [*Col. Papers, Vol. XL., No.* 20.]

155. Petition of John Johnson and James Barrow of James City County, Planters, to His Majesty's Commissioners for Virginia. Against Hartwell for imprisoning them and forcing from them a composition of ten thousand shingles. With two depositions on oath attached, *and Mem.*—That it was owned by Hartwell, who said it was done by the Governor's order. 1677, May 19. 2 *pp. Together, three papers.* [*Col. Papers, Vol. XL., Nos.* 21–23.]

156. Petition of Edward Lloyd [Mulatto] of James City County, Planter, to His Majesty's Commissioners for Virginia. Against Captain William Hartwell for imprisoning him three weeks, during which time his house was plundered by Governor Berkeley's servants, and petitioner's wife, great with child, so affrighted that she died. 1677, April 11. *Annexed,*

156. I.–II. The oath of Edward Lloyd and depositions of William Hucford and the midwives Mary Colby and Mary Robinson. *Together,* 3 *pp.* [*Col. Papers, Vol. XL., Nos.* 24, 24 I., II.]

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157. Petition of Robert Lowder, John Cocker, and Robert Porter, Planters of New Kent County, to the Commissioners for Virginia. For relief against Bryan Smith who has forced them to give bills for 4,250 lbs. of tobacco and cash under pretence of their having killed his hogs in the late rebellion, though petitioners have laid hold of His Majesty's pardon. 1 *p.* [*Col. Papers, Vol. XL. No.* 25.]

158. Petition of Thomas Lushington to His Majesty's Commissioners for Virginia. Against Captain William Hartwell for imprisoning him, stripping the clothes from his back, and taking his papers out of his pocket. With memorandum by Samuel Wiseman that Hartwell confessed that when others were plundering the petitioner he plundered too, but by order of his Colonel (Ballard). 1677, May 19. 1 *p.* [*Col. Papers, Vol. XL., No.* 26.]

159. Petition of Thomas Palmer to the Commissioners for Virginia. Complaining of Governor Berkeley for seizing tobacco paid to petitioner for building a house for one Thomas Hansford, who was executed by martial law for a rebel at Accomack. 1 *p.* This petition and many others are entered in *Col. Entry Bk. Vol. LXXXI., pp.* 337–352, with "Opinion" of the Commissioners "That this seizure is illegal, the said Hansford having no tryal or conviction by a lawful jury." [*Col. Papers, Vol. XL., No.* 27.]

160. Petition of Nicholas Pryn, Master of the Richard and Elizabeth of London, riding in James River, to the Commissioners for Virginia. For restitution of goods to the value of 265*l.* sterling, consigned by Alderman Booth and owners of said ship to William Hunt, their factor in Virginia, but seized by Lieutenant-Colonel Edward Hill under pretence of a warrant from the Governor. With depositions annexed, and letter of Colonel Thomas Ballard about same. 1677, March 19. *Two papers.* 3 *pp.* [*Col. Papers, Vol. XL., Nos.* 28, 29.]

161. Petition of William Rowland and William Whore to the Commissioners for Virginia. Were pressed into Bacon's service, imprisoned, and forced to give security for payment of 8,000 lbs. of tobacco. Prays for relief. 1 *p.* [*Col. Papers, Vol. XL., No.* 30.]

162. Petition of Stephen Tarleton of New Kent County to the Commissioners for Virginia. Acknowledges being seduced into the late horrible rebellion and taking that unlawful oath imposed by Bacon. Beseeches mercy for his crimes, and to be admitted to the full benefit of His Majesty's Act of pardon. 1 *p.* [*Col. Papers, Vol. XL., No.* 31.]

163. Petition of Nicholas Toope of York County, Tanner, to His Majesty's Commissioners for Virginia. Against Hartwell for imprisoning him five weeks after he was in the King's service, and forcing petitioner to give a bill for 20 pairs of shoes for his discharge. With disposition on oath annexed, and *Mem.*—That Hartwell owned

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same for which he had none of the Governor's order but by word of mouth. 1677, May 19. 2 *pp.* [*Col. Papers, Vol. XL., No.* 32.]

164. Petition of John Williams of James City County, Planter, to His Majesty's Commissioners for Virginia. Against Hartwell for imprisoning petitioner ten days and forcing him by hard usage to a composition of two hogsheads of tobacco and six barrels of Indian corn to the value of 16*l.* sterling. With deposition on oath annexed, and memorandum of Hartwell's confession that it was done by the Governor's order. 1677, April 20 and May 19. *Together, three papers.* [*Col. Papers, Vol. XL., Nos.* 33–35.]

165. Petition of W. Wyat in behalf of William and Elizabeth Rookeings, orphans of William Rookeings of Surrey County, to the Commissioners for Virginia. That the estate of William Rookeings, condemned by martial law during the late rebellion, who died in prison, may be secured for the benefit of his children and creditors until the King's pleasure be known therein. With deposition annexed. *Two papers.* [*Col. Papers, Vol. XL., Nos.* 36, 37; *also Col. Entry Bk., Vol. LXXXI., pp.* 337–352.]

March ? **166.** The King's Warrant for the Governor of Virginia. To receive to his own use as Governor out of the first moneys and revenues raised there the yearly sum of 2,000*l.* from the death or avoidance of Sir William Berkeley, our late Governor, together with a third part of escheats, fines, and forfeitures, also 150*l.* a year till the Assembly shall have provided a sufficient house and plantation for the Governor and Government there. 1 *p.* [*Col. Papers, Vol. XL., No.* 38.]

April 2. Green Spring, (Virginia). **167.** Major Robert Beverley, Clerk of the Assembly, to Thomas Ludwell and Colonel Daniel Parke, Treasurers for Virgina. Directing them to honour and pay certain bills as per annexed list drawn upon them for satisfaction of the public debts, according to Order of Assembly of 20th February last. *Annexed,*

167. I. Order of Assembly begun at Green Spring empowering Major Robert Beverley to draw Bills of Exchange upon Mr. Secretary Ludwell and Colonel Daniel Parke for money ordered to be paid by said Assembly. Copy of this order to be produced with the bills drawn.

167. II. List of bills drawn by the Grand Assembly of Virginia on Thomas Ludwell already paid by Gawin Corbin, July 1677. *Endorsed,* "Recd. June 1677." 3 *pp. Two copies.* [*Col. Papers, Vol. XL., Nos.* 39, 40; *also Col. Entry Bk., No.* 80, *pp.* 139–142.]

April 3. **168.** Affidavit of Edmond Pateshall concerning the proceedings of the Massachusetts Government in 1665. Has lived in Kennebec for 12 or 13 years; was put into a Commission of the Peace for Maine by the King's Commissioners and acted for two or three years as Justice of the Peace and was made a Captain of a foot

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company. Was credibly informed that at the end of this time Captain John Leverett, Edward Ting, and Captain Robert Pike came to York in Maine with a troop of horse where several justices were sitting and commanded them not to act any more in the King's name, and by their force disturbed them in the execution of their commission, so that they never after acted any more, which made this deponent also to desist; after this the Government was usurped by the Boston Government who obliged the people to take an oath of fidelity to their Government. Believes that the wars of the Eastern Indians in August last were occasioned by the treacherous dealings of some of the Bostoners who, trading with the Indians, invited them on board and detained them, and brought them to Fayal where they sold them for slaves to the Portuguese; by reason of which deponent and many hundreds lost all they had, two or three hundred persons were murdered, and all their goods destroyed for near 100 miles in length in the Duke of York's province and in Maine. "Jurat 3° die Aprilis 1677. Coram me John Hoskyns." 1 *p.* [*Col. Papers, Vol. XL., No.* 41.]

April 4–27. **169.** Minutes of the Council of Jamaica. Sir Thomas Modyford took the oaths of allegiance and supremacy and of a councillor. The Provost Marshal brought in return for St. James'. Richard Guy and Augustin Gabell. His Majesty's orders of 11th December to assist Virginia ships read, and in favour of the Royal African Company which is to be proclaimed at Port Royal.

April 9. Resolved that the Assembly take the oaths of allegiance and supremacy which was then administered to all except Clem. Richardson and Augustin Gabell who were sick. Having returned to their House the Assembly chose William Beeston, Speaker, of which the Governor approved. James Barkly chosen Clerk of the Assembly, sworn by two of the Council; the oath. Deputation from the Assembly to return thanks for the Governor's speech and that they would endeavour to comply with every part of it.

April 10. Ordered that all the original Acts of the country be sent to the Assembly for perusal, and any amendments they see fit. Also that transcript of the return of the elections be delivered to the Speaker.

April 11. On reading petition of Mr. Orgill, the opinion of the Assembly is desired whether negroes in actual rebellion and not discovered by their masters should be satisfied by the public, the clause in the Act appearing dubious. The House of opinion that such negroes ought not to be paid for by the public, to which the Council agreed. Consideration of the insolencies of the privateers, H.M. Phœnix to be sent to cruize. Account of her condition by the captain and officers. Resolved not to send her home till she be fully tried, and the Vulture to be fitted out to attend her.

April 12. Petition of William Nedham and John Collet referred to the Assembly.

April 19. Four bills read twice brought from the House sent back to be read a third time, the Governor in Council declaring all bills ought to be read three times before the other House can proceed with them.

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April 20. Message from the Assembly that it hath hitherto been the custom to read Acts twice and send them to the Council and they should keep to that custom. A free conference of the Speaker and Assembly desired, which was agreed to.

April 21. The Speaker and Assembly in a full body met the Council in conference; they sent after to acquaint the Governor and Council that since His Excellency had so freely declared his mind they were resolved to follow the custom of the Parliament of England and read their bills three times before they sent them to the Council.

April 24. Five bills brought from the Assembly returned with amendments.

April 26. Debate on the bill declaring the rights and privileges of the subjects of this island; ordered to be recommitted to the former committee.

April 27. Said bill to be again considered and another bill read three times and sent to the Assembly. [*Col. Entry Bk., Vol. XXXV., pp.* 552–568.]

April 5. Whitehall. **170.** Journal of the Lords of Trade and Plantations. Mason and Gorges and the Massachusetts Agents are called in the presence of the Lords Chief Justices. The Agents insist on their right of government in the territories claimed by the petitioners as lying within their bounds, and urge the right of possession confirmed by an Act of the Boston General Court in 1652; they do not lay claim to the soil by virtue of their patent, but submit to their Lordships the great expense they have been at in protecting those countries against the Indians which Mason and Gorges could never have been able to do. These two on the other side claim both soil and government as their inheritance by virtue of patents granted to their ancestors by the Council of Plymouth. Whereupon the Agents produce copy of their charter "taken out of the Rolls." Upon the whole matter their Lordships, finding this case to require the consideration of the judges as to matter of law, order Mason and Gorges to prepare a state of their case in writing, to attend the Lords Chief Justices therewith, also to give a copy to the agents of Boston who are to make their objections, and to give a state of their case to said Lord Chief Justices and to petitioners on 6th instant. Their Lordships refer to the Lords Chief Justices the examination of the patents and titles, and they are requested to give notice when ready to give an opinion, at which time their Lordships will meet again to consider of a report on the whole matter. [*Col. Entry Bks., Vol. LX, p.* 201, *and Vol. CV., pp.* 19–21.]

April 5. Swanns Point. **171.** The Commissioners for Virginia to Secretary Coventry. On Tuesday last the Assembly concluded; only await an account of the whole of their proceedings to send away the Deptford ketch (their final despatch). The Assembly has given Berkeley 500*l.*, but they find nothing done on his part in order to a peace with the Indians. He gives no account of his late seizures as they desired and he at first promised, nor has he yet answered in any one particular their instructions, but now insists on seeing their private power which they declined showing finding him so critical and

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captious at all advantages to himself. The Council, the Assembly, and people are and have been so over-awed and biassed by the Governor, that some counties dare not bring in their grievances before Berkeley be gone; fear at last Colonel Jeffreys will be forced to send him home, for he is still as backward as at first for ought they perceive; before the mists be by all artifices cast before them can be cleared. The main business of this letter by Captain Morris is to give an account of his very eminent sufferings and services; his ship has not only been a receptacle for the loyal party but to rebels a prison. Colonel Jeffreys absent at the Camp at Middle Plantation with his officers. 6 *pp.* [*Col. Entry Bk., Vol. LXXXI., pp.* 182–187.]

April 7. Jamaica. **172.** Governor Lord Vaughan to Sir Robert Southwell. Has written by all ships but as yet received no answer. Considering the laws were just expiring, he issued out writs of election for another Assembly to be convened 9th instant, and shall recommend to them the speedy re-enacting of the laws. Hopes they will prove prudent and reasonable though there are some factious people labouring what there can to prevent his good agreement with them. "Rec. 22 June, read 3 July 1677." 1 *p.* [*Col. Papers, Vol. XL., No.* 42.]

April 9. Swanns Point. **173.** The Commissioners for Virginia to Mr. Watkins. Send copy of a Commission from Sir William Berkeley to Sir Henry Chicheley to be communicated with their letters to Secretary Coventry, Sir Thomas Chicheley and Alderman Jeffreys, and represented to them as a manifest entrenchment upon the powers and authority immediately derived from His Majesty himself. Upon the conclusion of the Assembly and at their own request the Commissioners sent Wiseman to write their letters of submission to His Majesty, and of thanks to his Royal Highness and Lord Arlington, but these will be altered by Governor Berkeley and the Council as too submissive. The occasion of this is in behalf of Captain John Consett, the bearer, who, with a few other masters of ships here, has been a most eminent and signal sufferer, and with his own hand slew Groves, one of the chief of the rebels. *In a postscript* by Colonel Moryson, he is desired to confer with Alderman Jeffreys and sometimes to dine with him, but above all, for Jesus Christ's sake, to endeavour his return home, "for this country will make us all fools and shortly bring us to Cuddy Cuddy!" Sends two red birds for the Lady Duchess of Eston, Lord Arlington's daughter. Begs he will assist the applications of all suffering persons in the late rebellion. 5 *pp.* [*Col. Entry Bk., Vol. LXXXI., pp.* 188–192.]

April 9–27. **174.** Journal of the Assembly of Jamaica. Present: *See list of Members, ante No.* 102. The oaths administered in Council to all the Assembly except Clem. Richardson and Augustin Gavell who were sick. William Beeston elected Speaker. Samuel Long Clerk of the Assembly, sworn in Council; the oath; rules to be observed as conducing to a regular proceeding in their business

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Voted that Acts consented to by the Council be engrossed in a large book in the House. Minutes of the House to be entered in a book apart. Committee to inquire what is the custom in England in the lodging of Acts and concerning Grand Committees or anything else necessary for the House to know. Forty-five original Acts of the last Assembly brought to the House by the Clerk of the Council. The House to send for the original returns or transcripts of the members chosen. Thanks to Mr. Howser for his sermon; to be desired to say prayers in the House every morning between six and seven o'clock, who answered that he would give his attendance at that time. Every member not attending prayers to be fined 15*d*. The House not satisfied with list of names of Assembly men returned by the Council, they desired to see the original writs with the attestations or transcript attested, Committees to acquaint the Governor, answered that the Clerk in Council would attend with the original writs to compare with the lists already sent. Debate on several Acts.

April 11. Proceedings on various Acts. About enlarging the bounds of St. David and St. Katherine parishes. Petition of Orgueil for satisfaction for some negroes executed for rebellion, read. The Governor's query to be answered presently. Debate on various Acts. Voted that Peru money should not be made equal with Pillar and that interest of money should stand at 15 per cent. as before.

April 12. Report of Committee where by law the original Acts of Assembly ought to be lodged, and what is the custom of the Parliament of England concerning Grand Committees. Resolved that so much as concerns the Grand Committee in above report shall be established as a certain rule in this House for the government of Grand Committees for the future. Voted that Acts passed twice be sent to the Council. Titles of Acts ordered to be drawn up by the Committees named.

April 18–19. Debate on amendments proposed to various Acts. Voted that four or more surveyors of highways be chosen in each parish at the discretion of the Justices and Vestry. Four Acts returned by the Governor because it was repugnant to the custom of the Parliament of England for him to receive them until they were thrice passed by the House; but after debate they unanimously stood to their former vote and think not fit to recede from it.

April 20. Debate on amendments to several Acts. Message from the Council to desire a free conference with the Assembly. Lassels Act and Bonham's Point Act thrown out. On considering how the conference should be managed, resolved that the Speaker only discourse the sense of the House, and speak to no other matter but the Acts being sent to the Council when twice read. Upon the free conference and better information from the Governor that it was an unparliamentary way to send up the Acts when twice read, voted that Acts be passed three times before being sent to the Council. Proceedings on several Acts. Committee to examine the Acts fairly transcribed and set their hands to the copies to be kept in the House.

April 24–25. Voted that after every adjournment the House be called over and

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the absent fined 15*d*. Debate upon various Acts and on amendments to those sent back from the Council.

April 27. Petition of Mr. Hill praying to be empowered by an Act to sell part of the real estate of Captain Nicholas Hicks to satisfy his debts referred to a Committee for their report. [*Col. Entry Bk., Vol. XXXVII., pp.* 154–163.]

April 10. **175.** Lords Proprietors of Carolina to the Governor and Council at Ashley River. After such large expressions of their gratitude and joyful acceptance of their Lordships' proposals to remit all debts owing to them in Carolina, provided Colonel West was paid what was due to him by the Lords Proprietors, and other debts, if any, they themselves had contracted in Carolina and drawn on their Lordships, concluded they should no more be importuned about them or Colonel West's salary, notwithstanding bills are drawn upon their Lordships by Colonel West which they are willing to impute to any other cause than wilful neglect. Forasmuch as the debt owing to Colonel West is in money and the means they have to pay is in goods, differences have arisen about the valuation and other methods in payments. That disputes may be avoided and Colonel West speedily paid, offer "the way following as most equal." The account owing to Colonel West is enclosed. Supplies of all sorts and at moderate rates you would not want if you would make a rational proposal how they should be paid for, or would be but so industrious as to plant tobacco or any other thing to draw a trade to you until we can furnish you with more profitable plants. Understand that the Indians have made complaints that some of our people encroach upon them. Hope you adjusted that business to their satisfaction. Are also informed that some of them have injured in their persons (*sic*), and that one had his fish taken from him and was afterwards killed by the same person who took it. If it be not already done, pray come to an agreement with the Indians to their satisfaction about their bounds, and let none of our people encroach upon them for the future, and let strict inquiry be made about the death of the Indian and the person who did it punished according to law, that we may demonstrate to them that we do not approve that any should oppress or injure them, without which you cannot expect long to continue in peace or draw them to be so satisfied with our department as to unite with or be useful to us. Are pleased to hear you have arrived to such plenty of provisions, and doubt not but it will draw people to increase your strength to which we shall also contribute our endeavours. Concerning the debts due to Colonel West and from others. Expect the charge of Colonel West's salary in future to be equally borne by all the inhabitants of the Colony, and as in new colonies estates are not to be measured by land but stock; hint the way most suitable to that purpose, an annual poll tax on persons and cattle, horses and hogs. Shall be well pleased if the Governor be paid his salary "for we pretend not to raise money on you without your own consent in parliament." Pray be diligent to exercise your men in arms, that if attacked the Indians may have opinion you know how to defend yourselves and repay injuries,

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Whatever tax they lay the Governor cannot have less than 100*l.* a year. Suggestions for raising that amount which a single tax will not raise, as customs on liquors imported, but we will never consent to lay any charge on goods exported. Have a design to employ an able person for discovering and sounding roads, rivers, &c., and how far navigable for, considerable persons are now addressing us for accommodation with you, and are buying in several places in the world plants and seeds proper for the country, and looking for persons skilled in planting and producing vines, mulberry trees, rice, oils, and wines. This we are sure is the way of bestowing our money the most to our own and the place's advantage. *Enclose,*

175. I. Dr. and Cr. account with Colonel Joseph West, showing due to him for five years' salary at 60*l.* per annum, from August 1669 to August 1674, and two years and seven months salary at 100*l.* per annum, from August 1674 to March 1677; total balance due to him, deducting receipts, 415*l.* 9*s.* 7*d.* [*Col. Entry Bk., Vol. XX., pp.* 125–129.]

April 10. **176.** Lords Proprietors to the Governor, Council, and other inhabitants of our Province of Carolina. Whereas the country of the Westoes and Cussatoes, two powerful and warlike nations, have been discovered by the industry and hazard of Lt. Henry Woodward, at the charge of the Earl of Shaftesbury, and a strict peace made between them and our people in Carolina, their Lordships have thought fit for the preservation of said peace, and considering that if a general trade be allowed to those nations, and our people before our strength and numbers are increased, that our weakness may be discovered, and injuries, provocations, and quarrels may arise, strictly to command that no person under our government presume to have trade or correspondence with the Westoes, Cussatoes, Spaniards, or other Indians that live beyond Port Royal, or at the same distance from our present settlement that the Westoes and Cussatoes now inhabit, without license under the hand and seal of Lord Shaftesbury, and one or more of the Lords Proprietors, this order to continue in force for seven years only. Meanwhile no man hath reason to complain that he has not been left free to trade to the northward as far as Port Royal with those nations that lie near, or within convenient distance of them with whom they may without danger intermix and maintain a commerce. Such as presume to break these orders will be prosecuted and severely punished. [*Col. Entry Bk., Vol. XX., pp.* 120, 121.]

April 10. **177.** Articles of Agreement between the Lords Proprietors of Carolina concerning the trade there. Whereas it is necessary for the safety of those people under our government upon Ashley and Cooper Rivers and thereabouts to take into their Lordships' hands for seven years the whole trade with the Westoes, Cussatoes, and other nations that live at a great distance from said rivers, so they may be supplied with commodities according to agreement. It is therefore mutually agreed that those who set their hands and seals

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to this Agreement on or before 24th June next, shall pay to Mr. Saxby, our Secretary and Treasurer, 100*l.* each, to whom the profits of such trade shall lawfully accrue; Dr. Henry Woodward to have the fifth part of the clear profit according to agreement. [*Col. Entry Bk., Vol. XX., p.* 124.]

April 10. **178.** Lord Shaftesbury to the Governor and Council of Ashley River. Desires them to let Robert Smith take up a plantation of 600 acres, and Dr. Henry Woodward 2,000 acres, in some convenient place where they shall desire, and his Lordship will undertake for them that the Doctor shall bring over twenty persons and Robert Smith six within five years. [*Col. Entry Bk., Vol. XX., p.* 123.]

April 10. **179.** Appointment by Henry Earl of Clarendon of Richard Conant to be his deputy of Ashley River during pleasure. [*Col. Entry Bk., Vol. XX., p.* 123.]

April 10. **180.** Appointment by Anthony Earl of Shaftesbury of Henry Woodward to be his deputy of Ashley River during pleasure. [*Col. Entry Bk., Vol. XX., p.* 123.]

April 13. Swanns Point. **181.** The Commissioners for Virginia to Secretary Coventry. Have dispatched the ketch for England without the account of the Assembly's proceedings. Sir William Berkeley intends to embark for England the 20th instant in the Rebecca, Captain Larrimore, and carries home his own answer to the articles of inquiry and their interlocutory heads to which Berkeley has long promised an answer, but now refuses to give them any at all; he has done all he can to persuade the people he shall certainly return Governor again a few months hence. He has kept such a brow upon his Council and the Assembly that whatever he approves or dislikes, proposes or persuades, is only done, so the Commissioners cannot inform themselves of the state of the Militia, the public accounts, &c. His system of degrading and preferring officers after his own dislike or favour; instances the advancing one Hill to the chair of President of Charles City County, and to be an officer in the Militia, a most notorious coward and insolent turbulent fellow. Berkeley's proceedings in reference to the two patents "prejudicial to this country" which his Royal Highness assured them should be called in and vacated without any charge to the country. 6 *pp.* [*Col. Entry Bk., Vol. LXXXI., pp.* 193–198.]

April 13. James City, Virginia. **182.** William Sherwood to Secretary Sir Joseph Williamson. Account of Governor Berkeley's persecution since the writer's return from Eng'and, when he said before Colonel Parkes the general cry of the country was against the Governor and that the country would not be quiet so long as he continued Governor and Ludwell Secretary. Describes the people's grievance against Governor Berkeley and their over joy at his going hence. Begs the Governor may not have the writer's letters, for he is most malicious against him. The worthlessness of the large testimony of the Assembly to

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the prudence of Berkeley's government, "they could not avoid giving him such a testimony that the country might be rid of him." 2 *pp.* [*Col. Papers, Vol. XL., No.* 43.]

April 13. Swanns Point, James River. **183.** Colonel Herbert Jeffreys, Sir John Berry, and Colonel Francis Moryson to Secretary Sir Joseph Williamson. The Grand Assembly lately risen from whom the Commissioners were promised and expected an ample account of their proceedings, but they have returned home without transferring to us that satisfaction. Can only at present refer him to Mr. Watkins. 1 *p.* [*Col. Papers, Vol. XL., No.* 44, *and Col. Entry Bk., Vol. LXXXI., pp.* 199, 200.]

April 14. Swanns Point. **184.** Colonel Francis Moryson to Lord Culpeper. In reference to the patents which Moryson confesses himself somewhat surprised to find his Lordship was now setting on foot again, the Commissioners having told the country that the Duke of York was pleased to promise the calling in, and vacating those grants that were so prejudicial to this country without any charge to them. 3 *pp.* [*Col. Entry Bk., Vol. LXXXI., pp.* 201–204.]

April 14. **185.** The Commissioners for Virginia to Mr. Watkins. To confer with Captain Middleton who has had a general knowledge of occurrences here upon the place, more particularly in the business of the patents, for it was he who very fortunately and prudently discovered to them Lord Culpeper's design of setting the same on foot again after his Royal Highness' commands and his own professions to the contrary. 3 *pp.* [*Col. Entry Bk., Vol. LXXXI., pp.* 205–207.]

April 14. **186.** Phillip Ludwell to Secretary Sir Joseph Williamson. Meeting of the Assembly for the re-settlement of the country after the mad rebellion. Sir William Berkeley is with all speed preparing to lay at His Majesty's feet an account of what has passed in the Colony "which indeed has been of that intricate unreasonable texture that I think it a task too hard for me to state in all its circumstances." Is of opinion that the ground of this rebellion has not proceeded from any real fault in the Government, but rather from the lewd disposition of some persons of desperate fortunes. Describes the miseries caused by the rebels which he considers can alone be the real grievances of the country. Duplicate of this letter is addressed to the Secretary Sir Henry Coventry. *Endorsed,* "Rec^{d} from M^{r} Cooke 17 July 77." 3 *pp.* [*Col. Papers, Vol. XL., Nos.* 45, 46; *also Col. Entry Bk., Vol. LXXX., pp.* 152–155.]

April $\frac{17}{27}$. Barbadoes. **187.** Governor Sir Jonathan Atkins to Lords of Trade and Plantations. Received their letter of 21st December last (*see previous Vol. No.* 1190) on the 12th instant. "There is no person ever served His Majesty with more zeal and circumspection with less ends of his own than I have done." This may be seen by the posture he has put this place in both in Church and State, and has

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never heard of any complaint, either to His Majesty or their Lordships. Cannot discover what unlucky star reigns over him in America, but his aim is to recover their Lordships' good opinion. Called an assembly on his arrival. Recapitulates the contents of his letter of 22nd January last to Secretary Sir Joseph Williamson (*see ante, No.* 11) and gives his reasons why he thought it his duty rather than otherwise to agree to the Assembly's address to the King, "not willing to resist utterly their desires lest it should make them more earnest, and by shocking with them at my first coming, might render me incapable of doing the service I had done and hope to do. This made me accompany their petition with a letter to Mr. Secretary Coventry for there was no Council of Plantations or Committee of Lords that we heard of." Explains his conduct in reference to the supply of negroes; if the Guinea Company pursue the way they are in they must needs break the interloper and quietly enjoy the trade to themselves with satisfaction to every one, "for I have made them a plain path to walk in by letting the people see 'tis their interest to buy of the Guinea Company for so they are sure always to be supplied." Reasons why all the diligence in the world cannot prevent the landing of negroes in the night. Shall put in execution His Majesty's last commands, being a strengthening authority neither expressed in his commission nor instructions, though 'tis a hard task put upon Governors to square themselves in exigencies of this nature. If he disobeys his master he lies justly under his displeasure, the people say he acts contrary to his commission and instructions, "thus is the poor Governor exposed to complaints on both sides, I have but this choice to obey the first and to qualify as well as I can the last, and so take my fortune." Bewails his misfortune in having taken a journey of 4,000 miles leaving his own interests and friends at his great charge and fall under so great misconstructions. Conceives he fully answered their Lordships' queries, but will do his best to enlighten them on what seems dark. Cannot yet find a way to give satisfaction as to goods imported, exported, and consumed in the land, for the reasons given. As to the estates of the merchants and factors, and the substance and wealth of the island, they lie under the same uncertainty. The number of "Sectaries" are too many; the Anabaptists are much broken and have no public meeting-house; the Quakers daily increase in number, subtlety, and perverseness, and are grown insolent from hopes of indulgence from England, sometimes four or five hundred at a meeting, twenty of them of some estate. There are ten churches all supplied with ministers, most in orders, but all conform to the Church of England; many churches blown down by the hurricane much better rebuilt, their maintenance is by exhibition paid out of the parish stock which by law is assessed by the vestry every Easter and levyed by warrant from the Governor. The parsons and poor are provided for, the former commonly towards 100*l.* sterling a year, some more as esteemed by their parishioners, the poor so well that not one will be seen asking alms. Is troubled he could not send the laws sooner, they are very

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numerous, will use all expedition possible. Will their Lordships explain what they mean by the word journal, for if it be the daily passages of this place for three years since his arrival, 1,000*l.* a year will not maintain secretaries to do it. Explains why he could not give as early an account of Mr. Warner as their Lordships had from the Leeward Isles, "there is scarce an order made at your own Board that comes not from the Exchange here sometimes two or three months before your orders come to me." Read 15th June 1677. 5 *pp.* [*Col. Papers, Vol. XL., No.* 47; *also Col. Entry Bks., Vol. VI., pp.* 164–173, *and Vol. CV., p.* 63.]

April 21. **188.** Colonel Francis Moryson to Governor Berkeley. The Commissioners intend waiting upon him to-morrow to take their farewell leave of him before he goes hence. In reference to the two Patents they have so laboured to overthrow and the resolution of the House of Burgesses to a letter of thanks which he hears has been superseded by another letter, wherein the matter of thanks is omitted. Prays him to remember that he has twice himself superseded these patents and the charge it has been to this poor country, and now it may be had at so easy a price as thanks, and that Berkeley only is the obstructor of this good and royal Act, "especially when so near relations as yours and your lady's are concerned." Shall expect his answer which with this letter he shall send to the Duke of York. 4 *pp.* [*Col. Entry Bk., Vol. LXXXI., pp.* 208–211.]

April 23. **189.** The Commissioners for Virginia to Governor Sir William Berkeley. Think they deserved better than to be turned off by his coach and the common hangman postillion which is an affront not only against their Commission but themselves as gentlemen. Are resolved to make His Majesty a judge of this high indignity which they believe he well knew and was purposely sent for as a retainer to perform the ceremonies of yesterday. 1 *p.* [*Col. Papers, Vol. XL., No.* 48; *also Col. Entry Bk., Vol. LXXXI., pp.* 212, 213.]

April 23. (Virginia.) **190.** Governor Sir William Berkeley to (the Commissioners for Virginia). Of this particular of the postillion he is as innocent as the blessed angels themselves. But though God suffers him to be accused, he has in His mercy left him a great exemplar to comfort him, for He suffered His only glorious Son to be accused of what he was not guilty of, and our late blessed King Charles the First was brought to his death by accusations he was not in the least manner guilty of. They cannot be so angry at this last misfortune as he is sorry for it. Never saw the fellow's face but once before. Has sent the negro to be racked, tortured, or whipt, till he confess how this dire misfortune happened and hopes this will give them satisfaction. 1 *p.* [*Col. Papers, Vol. XL., No.* 49; *also Col. Entry Bk., Vol. LXXXI., pp.* 214, 215.]

April 23. **191.** Lady H. Berkeley to the Commissioners for Virginia. Explains that neither Sir William Berkeley nor herself have the least thought or knowledge who was their postillion, and protests in

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the presence of Almighty God that the Governor gave no order for the coach. Has sent her coachman to be examined to whom the writer gave her orders. Must say the Governor is dealt more severely with than ever man of his quality and character has been in the world, to think he could be guilty of putting so vile an affront upon any person that has His Majesty's stamp and character to secure them respect from any man but a Bacon. 2 *pp.* [*Col. Papers, Vol. XL., No.* 50 ; *also Col. Entry Bk., Vol.* 81, *p.* 217.]

April 23. **192.** Memorandum in the handwriting of Secretary Sir Joseph Williamson. Ships lately arrived from Virginia bring news that last summer and autumn proved extraordinary hot and the winter as violently cold, and that a great distemper has from thence arisen amongst the inhabitants which has taken away many. Lord Berkeley arrived at Chester on the 18th; his reception due to a person of his merits and employments. Attempt of the apprentices on the New Exchange to keep this, St. George's Day, a holiday. 1 *p.* [*Col. Papers, Vol. XL., No.* 51.]

April 25. **193.** Governor Berkeley to Colonel Moryson. Gives hearty thanks for the tobacco and waters. Is so distracted with this last dire misfortune that he scarce knows what he does or says though he is innocent. Has sent the negro, and desires he may be examined to the quick. 1 *p.* [*Col. Papers, Vol. XL., No.* 52 ; *also Col. Entry Bk. Vol. LXXXI., pp.* 216, 217.]

April 25. **194.** Colonel Francis Moryson to Governor Berkeley. Has so much charity of his own as to believe his high and solemn protests and that it was no more possible the Governor should intend than ever His Majesty's Commissioners should deserve so great an indignity. Intreats him to take Moryson's last letter into his second thoughts, seriously to consider its weighty contents, otherwise he must be feign to write home on purpose to his Royal Highness whom it so highly concerns as well as himself, "therefore, good Sir, take once more my former letter in your hands and think it worthy of a full and particular reply." Hopes the waters he sent will give Berkeley great relief. 3 *pp.* [*Col. Entry Bk., No.* 81, *pp.* 218-220.]

April 26. Whitehall. **195.** Journal of the Lords of Trade and Plantations. It being represented that the laws of Jamaica transmitted by Lord Vaughan have been for a long time lying before their Lordships for their approbation and report to His Majesty, and that the term of two years for which they are to continue in force is shortly expiring, ordered that my Lord Chancellor and Lord Treasurer be desired to assist at the Committee as they shall think to appoint, when their Lordships will take a review of all those laws and the minutes taken upon the reading of them, in order to present them to His Majesty with such amendments, additions, and defalcations as shall be agreed on and to receive His Majesty's pleasure thereon.

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Three letters presented from John Downing, an inhabitant of Newfoundland, by his correspondents at Dartmouth, concerning the detaining by the Mayor and others there of the St. John's Merchant, nominated by an Order in Council to carry orders to the masters of ships fishing in the harbours of Newfoundland. Resolved to consider this matter when they next meet in relation to the fishery and plantation of Newfoundland, and John Downing, on behalf of the planters and those concerned for the West Country Adventurers, promise to give their attendance.

Ordered, that the Attorney-General perfect the Commissions for empowering persons in the Plantations to take the oaths of Governors prescribed by the Acts of Parliament for His Majesty's approbation.

Sir Robert Southwell presented an account of Barbadoes and the Government, containing a general deduction of the most remarkable occurrences from the first discovery to this time, with a description of the country, government, &c., which is read and approved, and ordered to be entered at the head of the new book of entries (*Col. Entry Bk., Vol. VI.*) which is preparing for Barbadoes (*see previous Volume of Calendar, No.* 812).

Resolved to take into consideration at an early opportunity the present state of the Leeward Isles in order to represent to His Majesty the present need of supplies to be sent thither.

Ordered that letters be written to the Commissioners in Virginia by the first ships to hasten an answer to the circular letter and heads of inquiry sent formerly to Sir William Berkeley as desired by their Lordship's letter of 28th September last, and delivered to Sir John Berry on 16th October, which was done by a duplicate. Sir Robert Southwell gives account of the miscarriage of the despatches sent to Sir William Berkeley on 14th April 1676 by the death of the mate of the ship who undertook to deliver them. Their Lordships take notice no laws ought to be enacted in the Plantations concerning His Majesty's revenue without his particular knowledge and orders. It is further observed that Lord Vaughan in transmitting the laws of Jamaica had not sent the law concerning the revenue. [*Col. Entry Bk., Vol.* 105, *pp.* 22–26.]

April 27. Swanns Point, Virginia.

196. Declaration of Colonel Herbert Jeffreys, Governor of Virginia. That upon Sir William Berkeley's representation of his great age and bodily weakness, and his earnest desire to retire, His Majesty, by letters patent of 11th November last, recalled Sir William Berkeley home, who is now gone on his way, and appointed Jeffreys Governor in his stead. Calls upon the inhabitants of Virginia to respect and pay obedience to his title and authority, promising to take effectual means for the propogation of the Gospel and the due observance of the Lord's Day, and sets forth the reasons of his not having sooner assumed the Government, and that he will make war and extirpate their Indian enemies. *Certified copy by Samuel Wiseman.* 3 *pp.* [*Col. Papers, Vol. XL., No.* 53 ; *also Col. Entry Bk., Vol. LXXX., pp.* 145–149.]

April 28 Whitehall.

197. Secretary Sir Joseph Williamson to Sir Jonathan Atkins, Governor of Barbadoes. Takes the occasion that Mr. Chaplain

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now offers of paying him his compliments in acknowledgment of several of his letters, and to assure him of the continuance of his hearty service and esteem. Will not repeat what he has discoursed to some of Governor Atkin's friends with relation to the station he holds in the King's service, as Williamson supposes he has been made acquainted with everything of moment. [*Col. Entry Bk., Vol. XCIII., p.* 151.]

April 28. **198.** Governor Berkeley to Colonel Jeffreys. Thinks his irresistible desire to rule the country has precipitated him on that undertaking which can neither be justified by his Commission nor Berkeley's. Points out the mis-statements in his Declaration, and believes the inhabitants will quickly find a difference between Jeffrey's management and his own, and sooner if Colonel Moryson be removed, who besides other advantages knows the laws, customs, and nature of the people, "with all which you are as yet utterly unacquainted." *Copy for perusal of Sir Joseph Williamson.* Received 7th June 1677. 2 *pp.* [*Col. Papers, Vol. XL., No.* 54.]

April 28. **199.** Caveat that no grant pass concerning the estate of William Drummond of James River in Virginia, the same being forfeited to His Majesty. [*Dom. Entry Bk., Charles II., Vol. XLV., p.* 38.]

April 30. **200.** Journal of Lords of Trade and Plantations, Sir Thomas Lynch and Captain Molesworth attending. The laws of Jamaica taken into consideration. Their Lordships having read an Act for the better maintenance of the Ministry, ordered the words *not under* to be left out, but at present agree to continue them for the greater encouragement of the Ministry (*sic*). And whereas in the Act for confirming divers Orders of Council their Lordships had thought fit to limit the power of the Governor to fine any person who shall refuse to execute the offices of judges, justices, or other civil or military employments to military offices only, it is now agreed that the law do stand as it is enacted, but that the fine be limited to one hundred pounds and no more. Their Lordships having likewise directed that where it is enacted that slaves carrying fire near cane-pieces shall be punished at the discretion of the Magistrate, the punishment do not extend to life, are now of opinion that the word member be likewise added. Upon the whole matter their Lordships think fit to refer the whole body of these laws unto Mr. Attorney-General, with the observations made by the Committee thereupon, for his perusal and opinion how far they are fit to be allowed by His Majesty. And it is more particularly recommended to Mr. Attorney to consider of the Act declaring the laws of England in force in Jamaica, how far it is necessary and useful to the Island, how far consistent with the King's right of dominion, and what qualifications are proper thereunto. Likewise to desire Mr. Attorney to prepare a Bill (like Poynings Law in Ireland) directing the manner of enacting, transmitting, and amending these laws by His Majesty here in England. Search to be made in Sir Thomas Modyford's instructions and elsewhere,

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what evidence can be produced that the quit rents are disposed of by His Majesty to the public use of the Island. Their Lordships think fit that all fines and penalties be applied to the King, and that His Majesty do instruct his Governor to what use they are to be appropriated. [*Col. Entry Bk., Vol. CV., pp.* 26–28.]

April 30. **201.** Mem. by Secretary Sir Joseph Williamson relating to the Laws of Jamaica. Penalties reserved to the King to be for the public use, how far fit to be allowed in respect of the King's prerogative. Gentlemen of the Assembly, the style of the Commission is the Assembly. They insist the King should wholly pass or reject laws, but not have power to make any amendments. Remarks as to the law enacting all the laws of England. 1 *p.* [*Col. Papers, Vol. XL., No.* 55.]

April 30. St. Maries, Maryland. **202.** Governor Notley's Commission to Colonel Henry Coursey, one of the Council of Maryland, to conclude a firm peace with the Susquehannahs, Cinnigos (Senecas), or any other Indians now unknown to us, inhabiting to the northward within or without the territory of the Duke of York, also to treat with Governor Andros, request leave to pass through his territory, and his assistance in procuring peace for His Majesty's subjects in Virginia as well as in Maryland. 2 *pp. Annexed,*

202. I. Governor Notley's Instructions to Colonel Henry Coursey for a treaty with the Susquehannahs, Cinnigos (Senecas), and other Indians. 1677, April 30. 2 *pp.*

202. II. Colonel Henry Coursey to Governor Notley. Wrote to him on the 19th instant. Next day came Jacob Young from Maryland, whose account is that eight Susquehannahs killed Richard Mitton's family and immediately fled to the Senecas, and all the mischief has been done by them as they come out of Virginia. The two were shot by the Susquehannahs who came with the Senecas. The same troop took thirty of the chief warriors in the Susquehannah river who had been hunting to make a present to Governor Notley for peace. Old Colleit himself was coming, but was persuaded to desist for want of a present, but has now sent for him. Purposes persuading the 26 with him to go with him to New York, it being Governor Andros' orders to Captain Collier to send them, and judges it best to knit the peace jointly with these two governments, not leaving Virginia out, and is advised to include the Piscataways, which by their own expressions he thinks will prove the hardest part of his task. Finds by the interpreter that Captain Collier has been an evil instrument to our Province, for the Senecas offered to include Maryland, and he reported that Maryland would make war or peace at their own pleasure, which incensed Governor Andros. Finds a necessity to carry Jacob Young with him, without whom he can do nothing. He says the Senecas after ten days' march fell out about dividing the Susquehannahs they had with

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them, and some got away. The rest were bound, but not to hurt them, for Governor Andros strives to get them to the Masoques (? Maquas), for Captain Delavall said if they had them they would make war with the French. On 23rd came four Susquehannahs, and with them the Emperor of the Delaware Bay Indians. Finds them all inclining to peace. Two of their chief men have promised to follow him to New York, and they will endeavour to prevent the Senecas doing any mischief. Hopes he shall keep all in safety in Maryland. Major Wells must be very watchful at that side of the Bay. Has given them and the Emperor of Delaware presents, as it is the custom when you send to speak with any Indians. Told the Emperor the peace shall be drawn into writing, with which he is well pleased. Is now ready to take horse for New York. Sends a man with this letter, and to bring an answer and to what he wrote about Mr. Rousby. Delaware river, 1677, May 22. 3 *pp.*

202. III. Governor Notley to Colonel Henry Coursey. Answer to the preceding. Is heartily glad he has made so great a discovery in so short a time as to the state of the Indians, especially the Susquehannahs, and approves of their following him to New York. In cases where he has no positive instructions, leaves it to his own discretion. Is glad Jacob Young goes with him. What he does in relation to the Piscataway Indians must and shall be affirmed. Will give Major Wells strict orders about what he mentions. Is sorry to hear of Captain Collier's ill offices, pray labour to undeceive Governor Andros. Much approves of all his proceedings so far, and doubts not he will manage the rest to the great satisfaction of this government, the content of the people here, and honour of himself. If he thinks it necessary for the Susquehannahs to live in Maryland, let him endeavour so to order it, but to make a thorough conclusion with all Indians. Depends upon his judgment and discretion, but if any difficulty arises to write with all expedition. Not to forget to include Virginia by name in all articles with the Indians. 1677, June 2. 1 *p.*

202. IV. Propositions made by Colonel Henry Coursey from the Lord Proprietor of Maryland and all the Christians there inhabiting, as also from the Christians of Virginia, to the Seneca Indians (to be made use of at the Congress, 15th July 1677). 3 *pp.*

202. V. Propositions made to the Maques and Seneca Indians by Colonel Henry Coursey on behalf of Charles, Lord Baltimore, Lord Proprietor of Maryland, for all His Majesty's subjects in Virginia and Maryland.

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Answer of the Onondagas and answer of the Oneydas to Colonel Henry Coursey's Propositions of 20th July 1677.

Answer of the Maques to Colonel Coursey's Propositions in the Court House of Albany, 6th Aug. 1677.

Answers of the Sinnondowannes and Cajonges to Colonel Coursey's Propositions in the Court House of Albany, 22nd Aug. 1677. *Endorsed*, "Rec. from my Lord Baltimore, 15 April 1678." 7 *pp.*

202. VI. Proclamation of Thomas Notley, Governor of Maryland, of a peace concluded at Fort Albany, New York, by Colonel Henry Coursey, between Maryland and Virginia and the Sinnondowannes, Cajonges, Onondagas, Oneydas, Maques, and Mattawass, or Delaware Indians. St. Maries, 1677, Oct. 5. 1 *p.* Attested copy by John Llewellin, Clerk of the Council. *Together*, 7 *papers.* [*Col. Papers, Vol. XL., Nos.* 56, 56 I.–VI.]

April. **203.** Memorial of the Comte de Bergeyck, the Spanish Envoy. Touching a Spanish ship, the Buen Jesus de las Almas, with 46,471 pieces of eight, seized by Captain Bennet near San Domingo, and other hostilities committed by him on the coast of Hispaniola. *With reference from* Secretary Coventry to the Lords of Trade and Plantations to examine the matter and report their opinion to His Majesty. 1677, April 10. *English translation. Also* Minute of Lords of Trade and Plantations. Sir Thomas Lynch to have a copy of this Memorial and return account how far he is acquainted with this fact. A letter was accordingly sent to Sir Thomas Lynch with copy of this Memorial. Whitehall. 1677, April 30. *Annexed,*

203. I. Sir Philip Lloyd to Sir Thomas Lynch. Sends the above Memorial about a piracy committed in the West Indies by Bennet an Englishman, upon which the Lords of Trade and Plantations desire him to report what he knows about the matter of fact.

203. II. Sir Thomas Lynch to Sir Philip Lloyd. Encloses a narrative of what he knows of Bennet and the brigantine that took the Spanish prize. Dares not presume to direct what should be answered to the Memorial, though the matter be obvious enough, for the brigantine was run away with, and the Governor of Jamaica was at great charge in endeavouring to retrieve her. Neither she, her men, nor any English that had French commissions, ever came into any port in Jamaica which the Governor knew of. The vessel was in the French Governor's power. Bennet had Frenchmen on board, French commission, fought under French colours, had the prize condemned and adjudged in French ports. Does not see how His Majesty's Government can be charged with the misdemeanours of particular persons, that they would punish if they had the power, or why the Spanish Minister here

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complains, since the King has subjects that serve them as well as the French. Leicester Fields, 1677, May 3.

203. III. The Narrative above referred to, endorsed "Rec. from Sir T. Lynch concerning Bennet, a Privateer." 1677, May 3. [*Col. Papers, Vol. XL., Nos.* 57, 57 I.–III., *and Col. Entry Bk., Vol. CV., p.* 28.]

April. **204.** Petition of Thomas Winford, gentleman to the King. That petitioner's brother William, merchant, fourth son of Sir John Winford, and others were taken by the Spaniards in August last from aboard a ship belonging to Jamaica and are now detained prisoners in the Havanna and used in a most barbarous manner. Prays His Majesty to obtain an order from the King of Spain to the Governor of the Havanna for discharging petitioner's brother his servant and all others. *With reference* from Secretary Coventry to Lords of Trade and Plantations to report what they think fit to be done for petitioner's relief. Whitehall, 1677, April 10. *Annexed,*

204. I. Report of Lords of Trade and Plantations to the King. That orders be sent to Sir William Godolphin, Ambassador at Madrid, to solicit the release of all the said prisoners and that Lord Vaughan, Governor of Jamaica, receive instructions to make the like demand at the Havanna. Also that the Spanish Envoy residing here he desired to interpose his endeavours to this effect. *Draft.* 4 *pp.* [*Col. Papers, Vol. XL., Nos.* 58, 58 I.; *see also Col. Entry Bk., Vol. CV., p.* 28.]

Apr.–Aug. **205.** Charles Bertie to Sir Robert Southwell. My Lord Treasurer desires you will peruse the enclosed, and having fully informed yourself of this matter that you report your opinion to his Lordship. Wallingford House, April 30. *Annexed,*

205. I. The state of the case touching the ship Virgin of London, 130 tons and her lading, Edmund Cook, Master, taken in 1673 by the Spaniards in the West Indies.

205. II. Report of Sir Robert Southwell to the Lord Treasurer on the case of the ship Virgin. 1677, May. *Draft with corrections.* 4 *pp.*

205. III. Order of the King in Council. Referring the case of the merchants, owners, and freighters of the ship Virgin to Sir Richard Lloyd, Surrogate to the Judge of the Admiralty, and directing that Secretary Coventry write to Sir William Godolphin, Ambassador in Spain, acquainting him how His Majesty is pressed in this case and has under consideration the granting these letters of reprisal. Whitehall, 1677, July 24. 2 *pp.*

205. IV. The King to Sir W. Godolphin. To the same effect as the preceding Order in Council. Whitehall, 1677, July 31. 1 *p.*

205. V. Lord Ambassador Godolphin's Memorial to the King of Spain, demanding satisfaction for the losses and damages

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suffered by the owners and freighters of the Virgin and annexing narrative of proceedings in this case. 1677, August 10. *Spanish.* 8 *pp.*

205. VI. The English Ambassador's letter and Memorial about the Virgin. "Read, 11 Feb. 1680."

205. VII. Deposition of Matthew Fox in the case of the ship Virgin. 1 *p.*

205. VIII. The case of the merchants concerned in the loss of the ship Virgin as briefly stated and presented to His Majesty by Sir Richard Lloyd and Sir Thomas Exton being authorised so to do by His Majesty's Order in Council of 24th July, 1677. *Printed.* 3 *pp. Together,* 9 *popers.* [*Col. Papers, Vol. XL., Nos.* 59, 59 I.–VIII.]

Apr.–Sept. **206.** A manuscript volume of "Laws and Statutes made by Lord Vaughan at Jamaica in the 29th year of His Majesty's reign" and transmitted to the Secretary of State and the Lords of Trade and Plantations, with list of contents, viz.:—Eight laws made 9th April 1677, six laws made 20th August, and 12 laws made 6th September 1677. *These appear to be the laws which were considered by their Lordships at several meetings in September, October, and November following when they were altered and amended as seen in these copies. The preamble of each law,* "Be it enacted by the Governor's Council and Representatives of the Commons of this Island now assembled" *is struck out and written over,* "Be it enacted by the King's most excellent Majesty by and with the consent of the General Assembly," *and there are numerous other alterations and omissions in the text of these laws.* 50 *pp.* [*Col. Entry Bk., Vol XLI.*]

May 1. (Virginia.) **207.** Commission from the Commissioners for Virginia to Colonel George Jordan and Major Theophilus Hone. To inquire into, take account of, and report to said Commissioners what estates, real and personal, have been forfeited or seized for or in the late rebellion within James River, New Kent, and York Counties, and by whose order, that same may be returned to the Lord High Treasurer of England. 2 *pp.* [*Col. Papers, Vol. XL., No.* 60; *also Col. Entry Bk., Vol. LXXXI., pp.* 287–289.]

May 1, 2. **208.** Minutes of the Council of Jamaica. Two Bills read a third time and passed, and two Bills brought from the Assembly. A Committee appointed to confer with the Assembly about the Act of Privileges which was afterwards sent to the Assembly with the amendments noted.

May 4. Further amendments on said Act of Privileges, some of which are consented to, others not consented to. Committee from the House attend with the message that they adhere to their own amendments, that it is the just right and inherent privilege of His Majesty's subjects in this island to have the benefits of the laws of England, and therefore until their Bill of Privileges be made into an Act they think not fit to proceed on any further business, but

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intend to adjourn for a month. Upon which the Governor sent for the Speaker and Assembly, and they conferred together. Then a Committee came to acquaint the Governor and Council that in order to a better agreement of both Houses, they would appoint a Committee of Council to meet a Committee of Assembly to draw up a new Bill, but it was answered that it was altogether unparliamentary to draw a Bill in both Houses at once, to which the Assembly replied they would venture to begin the Bill in their own House.

May 16. Various Bills read, and debate on the first and second reading of the Bill for governing the Militia.

May 17. Bills consented to, message of thanks from the Assembly for the Governor's ready consent to their Bills, and that they would proceed cheerfully in all their business, and that nothing in them should be wanting to make a happy conclusion to this Session. Several Bills sent up which had passed their House.

May 18. Several Bills read a second and a third time and passed.

May 19. Proceedings on several Bills, and provisoes to the Act of the Militia.

May 21. Debate on amendments to several Bills.

May 22. Conference on certain clauses of the above.

May 23. The Bill for governing the Militia read a third time, with the amendments, and passed, as well as several other Bills.

May 25. Adjourned to the 6th June.

[*Col. Entry Bk., Vol. XXXV., pp.* 568–588.]

May 1. **209.** Journal of the Assembly of Jamaica. Several Acts read the first time, others the second time and the third time. Committee to wait on the Council to be informed of the practice of the Parliament in England in reference to amendments to Acts.

May 2. Voted that Acts read three times in the House be signed by the Speaker before being sent to the Council. Resolved that St. Anne's should not be a free port. On motion whether the House should stand by their own Act of Privileges, or consider the Act sent in by the Council, voted to abide by their own Act, not finding it any way infringes the Governor's Commission. Upon this message the Council desire their own Act to be returned to them. Committee appointed to confer with Committee of Council thereon. Report of the Committee of the House, the result being that the Council excepted against all in our Bill which was not contained in theirs, and desired that the next conference might not be so frivolous as this.

May 3. Committee appointed to compare all Acts transcribed, and bring them in attested. Debate in conference on the Act of Privileges, which was again read, and the amendments of the Council debated, some were assented to, and some were dissented to.

May 4. The Act of Privileges with the Council's amendments read the third time, and the same amendments assented or dissented to, as in the first and second readings. Voted that no leave be given to any Member to absent himself at the next meeting. Message from the Council that they adhered to their amendments.

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Unanimously voted that the House adhere to their amendments in said Act. Message delivered to the Council by a Committee of the House. *The further proceedings are abstracted in the previous Minutes of Council.*

May 5. Moved that the House adjourn to 10th May.

May 10–12. Debate on the Act of the Militia and other Acts.

May 15, 16. Mr. Richardson, who by reason of his sickness had not before given his attendance, sworn. Debate on amendments to various Acts.

May 17, 18. The Speaker and Assembly sent for by the Council when the Governor signed several Acts. Thanks of the House to his Excellency. Proceedings on various Acts. Voted that Mr. Speaker write to Augustine Gavell, Member of the Assembly, to order him to give his attendance, or show cause for his absence.

May 19. Several Bills read a third time. Debate on amendments to others. Petition of Mr. Green whether the Marshal ought not to take as effects a parcel of pots and not his body; voted that pots are not accounted effects. Consideration of the case of (Thomas) Martin; relation of his conduct to the Governor and his remarks on the Assembly, that to induce the Governor to admit him to his place (as Receiver) he had once offered him a bribe, and laid down a purse of gold upon the couch, and that the Governor then told him he mistook his man, and was like then to have broke his head. Voted that Martin had broken the privileges of the House, for which reason he ought to be committed. The Marshal was ordered to bring Martin to the Bar of the House, and he was committed till further order, as was also Mr. Story, said Martin's attorney. Message to the Governor, informing him of the above, and thanking him for preserving their just rights and privileges, and assuring him that the House would on all occasions be as careful to defend his Honour. About a conference of both Houses.

May 22. Proceedings on various Bills and Mr. Ryves, and the Bill filed in Chancery by Martin. Fees to be paid by persons committed by the House. Story called to the Bar of the House, but refused to make his recantation in the form set forth, acknowledging that filing a Bill in Chancery against the Speaker and Thomas Ryves on behalf of Martin was against the undoubted rights and privileges of the House, and that he deservedly suffered punishment and so was remanded to prison till further order.

May 23. Resolved that there be a Conference with the Council to compose the differences concerning the amendments to the Bill of non-claims. Mr. Speaker acquainted the House with a letter he had received from Martin, which was read, praying for a hearing. Committee appointed to inquire into Martin's business. Petition of Story not thought fit to be taken notice of.

May 24. Message from the Council about the conference asked for, which was consented to. Various Bills advanced a stage. Petition of Edward Story, attorney-at-law, read, and he ordered to be sent for, and upon his submission and signing the above entered recantation, he was released, paying the fees. Debate on

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various Bills. Report of Committee on Martin's business. Voted that his report to the Governor that the House laughed at His Majesty's patent is altogether false and untrue. Various Bills advanced a stage. Thomas Martin sent for to the Bar, and the articles drawn against him read in his presence, and was not allowed to reply verbally, but to give his answer in writing. Debate on several Acts.

May 25. Proceedings on various Acts. Adjourned to 6th June. [*Col. Entry Bk., Vol. XXXVII., pp.* 163–174.]

May 3. Council Chamber. **210.** Report of Lords of Trade and Plantations to the King. Have lately received letter from Governor Atkins, dated 6th December last, that Barbadoes is provided with all sorts of ammunition except match. Humbly offer to His Majesty that Sir Thomas Chicheley, Master of the Ordnance, be ordered to send Governor Atkins a convenient quantity of match. 1 *p.* [*Col. Papers, Vol. XL., No.* 61.]

May 3. **211.** Sir John Heydon, Deputy Governor, and Council to the Somers Islands Company. The printed book entitled "The Just and Unjust Proceedings of the Somers Islands Company," sent by Mr. Trott in the magazine ship, they have by proclamation endeavoured to recover into their hands, but cannot hear of above 16 or 17 of them, which they have, according to order, caused to be burnt at St. George's, near the pillory and whipping-post, by John Bristow, Provost-Marshal. [*Extract.*] *Signed by* Sir John Heydon, John Rawlings, Arthur Jones, John Darrell, junr., Thomas Dickinson, Thomas Scrogham, and Christopher Burrowes, and Henry Tucker, secretary. Certified copy by Henry Tucker. [*Col. Papers, Vol. XL., No.* 62.]

May 3. Somers Islands. **212.** Henry Tucker, Secretary by order of the Governor and Council to the Somers Islands Company at Saddler's Hall, Cheapside, London. Send attestations against George Bullen, and the person himself prisoner in the magazine ship, for dangerous words spoken against the King, "not thinking it safe to make any proceed against him here until order be given unto us according to His Majesty's law in such cases made." *Annexed,*

212. I. George Bullen to Sir John Heydon. Begs he may be permitted the privilege to go aboard the ship in which he is to be sent to England where he may be serviceable, or that he may go the voyage he was bound upon. For the words testified against him he was overcome with drink and not himself. 1677, May 7. Certified copy by H. Tucker.

212. II., III. Declarations of Samuel Newton, Elizabeth Keele, and Ann Atwood of the treasonable words spoken by George Bullen, master's mate of Abraham Knott's Ketch of New England, "That the King was a very swarthie man in the face, but of a cleere skin, and he said if I were a judge and he brought before me, I would

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hang him for his look." 1677, May 2. *N.B.*—From an extract of a general letter of the Somers Islands Company, dated 1st October 1677, printed in Lieutenant-General Sir J. H. Lefroy's "Memorials of the Bermudas," Vol. II., p. 460, we learn that, after George Bullen had received some days imprisonment in the Tower, His Majesty was graciously pleased to pass by his offence and order his discharge. [*Col. Papers, Vol. XL., Nos.* 63, 63 I., II., III.]

May $\frac{3}{13}$. Barbadoes. **213.** Governor Sir Jonathan Atkins to Lords of Trade and Plantations. Is endeavouring to prepare the laws to send. The new Assembly will meet on the 15th and give them a ready dispatch. Has inquired as far as he could, but made little progress, in the estates of merchants and others; to make public inquiries puts the people into strange jealousies and confusions, as happened in Lord Willoughby's time, when the people generally declared against that proceeding, said their estates were their own and none else had to do with them, and that they would keep them. Explains the umbrage taken from some of Lord Francis Willoughby's actions, who called in question some lands set out by the first Earl of Carlisle, called the 10,000 acres put into the hands of trustees approved by the creditors for payment of his lordship's debts. Finds an objection in His Majesty's letter to his speaking of discouragements, and not naming what they are—'tis meant of new plantations or new settlements, which he explains. Excuses for being constrained to give long discourses for letters. Has heard nothing of the French since their engagement with the Dutch, who are in a most miserable condition at Tobago, many coming hither to get shipping for England, and a great number dead. 2 *pp.* Rec. 20th July. [*Col. Papers, Vol. XL., No.* 64. *Col. Entry Bk., Vol. VI., pp.* 175–177.]

May 3. **214.** Attestation signed by Colonel William Ball and Dr. Walter Whitaker, that (Mathew) Bentley, a shoemaker, notoriously known to be a very great actor and abettor in the late rebellion, who had often said he would be like death, and spare neither man, woman, nor child, was discharged without any trial. 1 *p.* [*Col. Papers, Vol. XL., No.* 65.]

March 3–4. Whitehall. **215.** Journal of Lords of Trade and Plantations. Letter read from Sir Jonathan Atkins of $\frac{6}{16}$ Dec. (*see preceding Volume, No.* 1174). It is agreed to report to His Majesty as follows (*see ante No.* 210), it not appearing that His Majesty had ever sent any stores to Barbadoes for which payment was not to be made there. Also was read another letter from Governor Atkins of $\frac{8}{18}$ February (*see ante No.* 48).

In pursuance of the King's order (*see ante No.* 97,) their Lordships met to find out what is proper to be done for security of the fishery of Newfoundland, and settlement of that plantation, both parties concerned called in; their Lordships' report of 15th April 1675 (*see previous Volume of Calendar, No.* 524) and Sir

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John Berry's letter to Sir Robert Southwell having first been read, Counsel on behalf of the Adventurers argues that the manner of catching fish by ships is very ancient and the plantation settled of late years, since which the fishery is very much decayed by reasons of abuses committed by the planters. That they debauch the seamen, destroy the stages, and are of no security or strength against any enemy in time of war, and that in time of peace His Majesty's sovereignty is sufficiently provided for by the yearly sending out of ships, by which possession is actually maintained for half the year. That the French have so large a tract of land, and so great conveniency of harbours to exercise their fishery, as that they will not easily be provoked to encroach upon us or disturb our fishery. Mr. Perrot being sworn alleges several instances of injuries he supposes to have been done by the inhabitants to the Adventurers. Benjamin Scutt assures their Lordships the fishing ships are forced to leave England six weeks sooner by reason of damages done by the planters, that of late years the fishery is decreased one half upon the encouragement the inhabitants have received out of England. That upon renewal of the Western Charter two years ago, whereby no person was to inhabit within six miles of the shore, the trade again revived, and last year 7,500 men went out on fishing ships besides those on the sack ships. Mr. Pollexfen also sworn to the same effect. Counsel on behalf of the Planters deny what is alleged against them and offer to give security not to destroy the stages of the fishermen or do them any injury and conceive in case the Plantation ceases, His Majesty can by no means secure his right to the country. Besides that the planters are already settled there by virtue of former patents, whereby the soil is granted to them. John Downing, as agent for the planters, assures their Lordships he has frequented the island above thirty years, that there is a colony of one hundred and fifty families amounting to sixteen or seventeen thousand souls (*sic*). That the fishermen belonging to the ships at their departure pull down their stages for firing on board, and ruin the flakes to brew drink. That the planters are very useful to them in keeping their stores, and he had one year six hundred hogsheads of salt in his custody for the fishermen. And by Sir John Berry's order, undertook to preserve their stages preferring the admiral to make good all damages. That it is impossible for the planters to inhabit six miles from the shore, all their houses are near the water and none farther off than a quarter of a mile. He affirms the French have at least 250 families of about 2,000 men and 400 soldiers, that the King of France daily encourages the plantation, so it is much increased since 1670, and the French have at length exempted themselves from the impost of five fish for one hundred and twenty which they paid to the proprietors in Sir David Kirke's time, and during the late usurpation unto the men of war that were sent thither. That the French forts are not maintained for the security of the beaver trade against the Indians, there being none that live, or ever come near the French plantations. That we ought to be more apprehensive of the growth of the French Colony as so near to ours, from Placentia Bay to

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Trinity harbour but three miles. Mr. Downing's account of how the inhabitants employ themselves after the fishing ships are gone away and during the winter season. Captain Davis who had been many years in Newfoundland says if the inhabitants be obliged to desert the island, the French will immediately possess themselves of it and destroy our fishery. Several points may be made defensible, as St. John's Harbour, which is of so great a strength as De Ruyter confessed if there had been six guns mounted he could have done the ships no injury. That the abuses against the charter are practiced by the ships' companies who cut down their stages. All persons being withdrawn their Lordships agree to report to His Majesty according to these several informations, with their opinions that no alteration be made this year in relation to the Colony or the fishery. And meanwhile that three Commissioners be sent over with the convoys to enquire into the French trade and plantation, and the present complaints.

May 4. Instructions to be given to said Commissioners considered and all means to be used to get information from France as to their trade and plantation. Report made to His Majesty in Council which is ordered to be referred back to hear the Western men and planters and consider of fit regulations to prevent the adventurers receiving any prejudice from the planters. [*Col. Entry Bk., Vol. CV., pp.* 31–38.]

May 4. Swanns Point. **216.** The Commissioners for Virginia to Mr. Watkins. The late base indignity thrown upon them by Sir William Berkeley they wish Secretary Coventry to be acquainted with, in having appointed the common hangman to be their postillion from Greenspring to the landing-place, instead of the usual postillion, of which abuse be Berkeley never so innocent yet the whole country rings of the public odium and disgrace cast upon us, which will not be easily defended considering by whom it was done. "My Lady (Berkeley) went into her chamber and peeped through a broken quarrel of the glass to see how the show looked, but God be thanked we had the grace and good luck to go all the way on foot . . . this trick looks more like a woman's than a man's malice." Sir W. Berkeley has not advised with them upon any one particular instruction, nor has he settled any peace with the Indians. They have reduced some of the Indians to their duty, and have examined several Kings and Princes to meet them at the Middle Plantation for the making a general peace, after which they will return home and make good their charge against Berkeley. *Endorsed*, "Rec^{d} 5 July 1677." 3 *pp.* [*Col. Papers, Vol. XL., No.* 66; *also Col. Entry Bk. Vol. LXXXI., pp.* 221–231.]

[May 4.] **217.** Petition of the Royal African Company to the King. Complaining that several persons, in particular George Parris and John How, trade within the limits of their charter, carrying negroes thence to the plantations, and boast that if resisted they will fight. That the ship Blossom is now in the Thames, which

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though entered for the Canaries, petitioners are well assured is bound for Guinea, thence to proceed with blacks to the Plantations. Pray for such remedy as to His Majesty shall seem meet. *Annexed,*

217. 1. Order of the King in Council. Referring above petition to the Commissioners of Customs, and ordering them to take security from the Blossom if needful. 3 *pp.* [*Col. Entry Bk., Vol. I., pp.* 69–71.]

May 6. **218.** Representation of Edward Randolph. The state of New England depending before the Lords of Trade and Plantations is reduced to two heads, viz., matter of law and fact. Matter of law arises from the title claimed by Mason and Gorges, and the right of Massachusetts, which are referred to the Lord Chief Justices for their opinion. Matters of fact concern the King as well, and against the Government of the Massachusetts these articles will be proved:—(1.) That they have no right to land or government in any part of New England and have always been usurpers. (2.) That they have formed themselves into a commonwealth, denying appeals to England, and do not take the oath of allegiance. (3.) They have protected the late King's murderers contrary to the Proclamation of 6th June 1660 and letters of 28th June 1662. (4.) They coin money with their own impress. (5.) They have put to death for opinion in matters of religion. (6.) They opposed in 1665 the King's Commissioners, and by armed forces turned out the King's Justices of the Peace in contempt of His Majesty's declaration of 10th April 1666. (7.) They impose an oath of fidelity to their Government to all within their territories. (8.) They violate all the Acts of Trade and Navigation to the loss of 100,000*l.* yearly to His Majesty's customs. Reasons inducing a speedy determination:—(1.) His Majesty hath an opportunity to settle that country under his royal authority with little charge, Sir John Berry being now at Virginia, and New England lying in his way home, where are many harbours free from the worm, convenient towns for quartering soldiers, and plentiful accommodation for men and shipping. (2.) The earnest desire of most and the best of the inhabitants to be under the King's government. (3.) The Indians on settlement of that country it is presumed would submit, and would be useful for improving the country, there being upwards of 300,000 English there. Proposals for settling the country:—(1.) The granting of a pardon on conviction of having acted with contempt to the King's authority will make the most refractory comply. (2.) A declaration of confirming possession of lands and houses on payment of an easy quit-rent, and the granting of liberty of conscience in matters of religion. (3.) The King's commission to the most eminent persons for estates and loyalty to consult for the safety of the country and the allowance of a pension with some title of honour to the most deserving magistrates will cause a general submission. "Rec^{d} from Mr. Bridgman 6 May 1667. Mem. 13 May Mr. Sec. Williamson

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acquaints their Lordships that His Majesty had referred it to them." 2 *pp.* [*Col. Papers, Vol. XL., No.* 67.]

219. Copy of first part of the preceding with slight alterations. "Read at Council 7 June, 8 June, 12 June 1677. Original remains in Council Chamber." 2 *pp.* [*Col. Papers, Vol. XL., No.* 68.]

220. Copy of preceding, with minute that it was presented to the Committee for Foreign Affairs, referred to the Committee of Plantations by His Majesty's Order, signified by Mr. Secretary Coventry 31st May, and read 7th June. [*Col. Papers, Vol. XL., No.* 69; *also Col. Entry Bk., Vol. LX., pp.* 206–209.]

May 7. **221.** The Duke of York to Governor Andros. Acknowledges letter of 1st November. Is glad to find the quiet condition of his government, notwithstanding the late troubles in his neighbourhood. Authorises him to publish the Duke's pleasure to continue the same rates and customs for three years longer. Agrees to his request to visit England, if he comes away at the end of the summer with the latest shipping, so as having the winter to himself he may be ready to return with the first ships that go in the spring. Grants his request touching the 200*l.* advanced by the Duke's Treasurer, which he freely gives, and will on all occasions be mindful of his diligence and faithfulness. ¼ *p. Printed in New York Documents, Vol. III., p.* 246. [*Col. Entry Bk., Vol., LXX., p.* 24.]

May 7. St. James. **222.** Sir John Werden to Governor Andros. Sees by his General Account sent to Sir Allen Apsley that by the balance to 1st October (1676) His Royal Highness was creditor 126*l.* 12*s.* 7¼*d.*, which gives some hopes he may in time have returns for his expenses, since already the receipts come to equal (at least the payments). Thinks he does very wisely to make Dyre's payments as frequent as he can, for though he be sensible of his error in giving credit in the customs (which he excuses from former practice and want of ready money), and would not venture to do the like hereafter, yet the practice of frequent reckonings is of great use to make men just; thinks he means very honestly and deserves as much kindness as is consistent with the security of the revenue. It is still the Duke's pleasure that nothing further be done touching the bounds towards Connecticut; believes a time may come, either on a regulation of matters in New England or some other way, when His Royal Highness may without scruple insist on all his rights; there is no question as to the northern bounds, which have always been esteemed to extend as far as the lake or river of Canada, and the French have no colour to pretend right of conquest from any of their invasions there, unless they had such possession before the Dutch were settled in Albany, which he believes is nothing so. Repeats Sir John King's opinion concerning Delaware, that it is not worth the Duke's while to pass a patent for it alone, he being already possessed of it as an appendix to New York

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gained by Andros' predecessors. If he comes for England this next autumn will see what can be further done; would be glad it were confirmed in the Duke's possession by a better title. Could give no encouragement to the wife of Mr. Phillips in her desire to buy a Dutch ship in hopes to make her free, but dissuaded her from it by reason of the strict orders of late prohibiting any of those practices, though frequent heretofore, and the Customs are very strict in opposing all such endeavours. The greatest news here is the meeting of Parliament on the 21st instant; wishes it may be for as much good as the last meeting, wherein a sum of money was given for building 30 ships of war and the additional duty of excise continued for three years, worth about 100,000*l.* per annum. 1¾ *pp. Printed in New York Documents, Vol. III., pp.* 246, 247. [*Col. Entry Bk., Vol. LXX., p.* 25.]

May 9. Whitehall. **223.** Order of the King in Council. Approving Report of Lords of Trade and Plantations of 3rd instant (*see ante, No.* 210), and ordering Sir Thomas Chicheley to send a convenient quantity of match to Governor Atkins, upon such terms as have been practised in cases of like nature. [*Col. Entry Bk., Vol. VI., pp.* 151, 152.]

May 9. Whitehall. **224.** Order of the King in Council. On petition of Lieutenant-Colonel William Stapleton, Governor of the Leeward Isles, setting forth the condition of said islands, the great want of men, arms and ammunition, and of a frigate for their better defence, and the arrears of pay due to the soldiers there. Referring same to Lords of Trade and Plantations to enter into a serious inquiry and make a full report to His Majesty of all things necessary for the safety of said islands. *Enclosed,*

224. 1. Petition of Lieutenant-Colonel William Stapleton to the King above referred to. *Endorsed,* "Read at the Committee 10 May 1677." [*Col. Papers, Vol. XL., Nos.* 70, 70 1., *and Col. Entry Bk., Vol. XLVI., pp.* 196–200.]

May 10. Whitehall. **225.** Journal of Lords of Trade and Plantations. Consideration of the present state of the Leeward Islands. Ordered that Colonel Stapleton's Answer to the Heads of Inquiry, dated 22nd November last (*see previous volume of this Calendar, No.* 1152), be read. And besides the particulars of the great wants of those Islands, it is thought fit that application be made to His Royal Highness (the Duke of York) for a commission to Colonel Stapleton to be Vice-Admiral there. Ordered that Colonel Stapleton be required to send over all the laws now in force, and to return a more particular account of the number of whites and blacks,—men, women, and children. Having proceeded as far as the 21st article, their Lordships refer the rest to another time. Ordered that the Master of the Ordnance be desired to furnish their Lordships with an account of arms and warlike provisions sent to the Plantations since His Majesty's return, and how paid for. Order of the King in Council of 9th May read, with Colonel Stapleton's petition, whereupon their Lordships agree to report

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to the King the state of the Leeward Islands and to repeat the several particulars of their Report of (3rd) February 1676 (*see previous volume, No.* 808), and to set forth that the wants are in no part decreased, but grown greater and more pressing. Ordered that the Agents, Captain Gorges and Mr. Freeman, bring in account of the arrears due to the Governor and the Companies. Also that care be taken to provide a seal for the Leeward Islands, and that Mr. Harris make haste to finish it.

Having perused all the laws of Jamaica transmitted by Lord Vaughan, ordered that their Lordships' minutes thereon be sent to the Attorney-General, together with said laws. The letter to the Attorney-General. [*Col. Entry Bk., Vol. CV., pp.* 39–42.]

May 10. Whitehall. **226.** Sir Philip Lloyd to Mr. Attorney-General. The Lords of Trade and Plantations having perused the laws of Jamaica, refer them for his consideration, with their minutes thereon, for his opinion how far they are agreeable to the laws of England and His Majesty's right of dominion in those parts. He is particularly desired to consider the Act declaring the laws of England to be in force in Jamaica, how far necessary and useful to the island and consistent with His Majesty's interest. Likewise to prepare a Bill like Poyning's law in Ireland, directing the manner of enacting laws in Jamaica, the transmitting them, and how to be received after His Majesty's amendments and additions. Sends also the Governor's commission and instructions the foundation of these laws. He has the objections of two merchants to the Act against suing persons for foreign debts "This was returned with the laws of Jamaica, 22 Sept. 1677." 1 *p.* [*Col. Papers, Vol. XL., No.* 71.]

May 10. Whitehall. **227.** Sir Philip Lloyd to the Master of the Ordnance. The Lords of Trade and Plantations desire him to transmit an account of the arms, ammunition, and other warlike provisions sent to the Plantations before and since His Majesty's restoration, with the dates and value. *Annexed,*

227. 1. The account above mentioned which shows that warlike provisions and stores were sent to the Bahamas, Barbadoes, to the amount of 8,695*l.*; Bermudas, Cape Corso, Carolina, New England, 2,437*l.*; Guinea, 645*l.*; Hudson's Bay, Jamaica, 18,922*l.*; Leeward Isles, 2,579*l.*; Montserrat, Nevis, Virginia, 5,625*l.*, and New York, 2,158*l.* Total to all these plantations, 44,237*l.* Office of the Ordnance. 1677, May 22. [*Col. Papers, Vol. XL., No* 71*; *also Col. Entry Bk., Vol. XCVII., pp.* 40–45.]

May 10. **228.** Humble remonstrance and address of the inhabitants of Charles City County, Virginia, to Herbert Jeffreys, Sir John Berry, and Francis Moryson, His Majesty's Commissioners for Virginia. A long document of sixteen pages, chiefly against the ill-management of the war against the Indians, and charges against Edward Hill. It was presented, and is signed on behalf of the inhabitants of this county, by Bernard Sykes, James Minge, N. Wyatt, William

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Dicke, Thomas Blayton, Thomas Grendon, and James Bisse. [*Col. Papers, Vol. XL., No.* 72.]

May? **229.** Answer of Edward Hill addressed to Herbert Jeffreys, Governor of Virginia, and to Sir John Berry and Colonel Francis Moryson, Commissioners for Virginia Affairs. To divers false scandalous articles drawn up against him by the hands, cunning skill and industry of James Minge and Thomas Blayton, delivered your honors in the behalf and as from the people of Charles City County. *Endorsed* by order of His Majesty's Commissioners, "Charles City grievances being in itself one entire thing against the ill-management of the war, and more particularly a charge against Hill, which we, to be the more fully informed, and to give satisfaction on both sides, granted a Dedimus to examine witnesses therein, which came not to our hands before we were ready to set sail for England, and so we must here (for want of time to peruse and consider of it) humbly leave it to the decision of His Majesty and Council." 28 *pp.* [*Col. Papers, Vol. XL., No.* 73.]

[May 10.] **230.** Petition of the Royal African Company to the King. To stay the ship Blossom, which petitioners believe to be bound for Guinea, until security be given she will not trade within the limits of their charter, the Commissioners for Customs, to whom the case was previously referred, not having done so. *Annexed,*

230. 1. Affidavit of John Adams that the ship Blossom is loaded with calicoes, muskets, and other goods proper for Guinea, and that some of the seamen said they were going to the Canaries, and thence to Cape Verde to carry blacks to the Plantations. 1677, May 10. 2 *pp.* [*Col. Entry Bk., Vol. I., pp.* 72, 73.]

[May 11.] **231.** Petition of Merchants and Planters of Barbadoes to the King Being under some fears of war with France, and considering the unprovided condition of Barbadoes, especially in small arms, which were mostly broken and destroyed in the late great hurricane, pray His Majesty to grant a supply and such other assistance as shall seem most fit. *Signed by* John Bawdon, James Lucie, and Edw. Thornburgh. 1 *p.* [*Col. Papers, Vol. XL., No.* 74, *and Col. Entry Bk., Vol. VI., pp.* 152, 153.]

May 11. Whitehall. **232.** Order of the King in Council. Referring the preceding petition to Lords of Trade and Plantations for consideration, and ordering them to cause a state of the condition of Barbadoes and of the rest of the Leeward Islands, to be presented to His Majesty in Council, with all convenient speed. 1 *p.* [*Col. Papers, Vol. XL., No.* 75, *and Col. Entry Bk., Vol. VI., p.* 154.]

May 11. **233.** "Account of money with the Agents of St. Christophers." Certify that they have received out of His Majesty's Exchequer certain sums of money for the pay of His Majesty's two foot companies in St. Christopher's, and the salary Governor Stapleton, viz.,

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on 3rd July 1676 the sum of 2,278*l.* 7*s.*, a year's pay for the foot companies due July 1673, and 700*l.* for salary due to Governor Stapleton June 1673, similar amounts in January 1677, due June and July 1674; and on 8th instant May, two years pay and salary due June and July 1676. That Colonel Stapleton's Company consists of 49 soldiers beside officers, and Captain Abed. Mathews' Company of 54 soldiers besides officers, and offer that the two Companies be filled up according to His Majesty's establishment and have a speedy supply of arms and ammunition. *Signed by* Ferdinand Gorges and William Freeman. "Rec. 12 May 1677." 1¼ *pp.* [*Col. Papers, Vol. XL., No.* 76.]

May. **234.** Memorial of some persons concerned in a Spanish ship, the Santo Domingo, Captain Pedro de Lagos, lately left Spain for Barbadoes to purchase negroes and transport them to the Spanish West Indies. That the Royal African Company will procure letters from His Royal Highness or the Council of Trade to the Governor of Barbadoes that said ship may receive all encouragement, and continue a further trade from the Spanish West Indies to Barbadoes for buying and transporting blacks without exacting more duties or other impositions than the law appoints. *Endorsed by Williamson,* "African Company, May 1677. Letters were written to Jamaica and the Barbadoes." 1 *p.* [*Col. Papers, Vol. XL., No.* 77.]

May 12. Whitehall. **235.** The King to Lord Vaughan, Governor of Jamaica. Have been informed by the Royal African Company that permission will be granted from Spain for Spanish shipping to come to Jamaica to buy blacks, and that persons will be sent thither for the better settlement of that trade, which will probably be of considerable advantage to His Majesty's subjects. The King, at request of said Company, requires him to take special care that such ships or persons be civilly treated, and receive all fitting countenance in their design, provided they do nothing contrary to the Act of Navigation or the laws of the island, and that said persons have free admission, bringing in either money or goods of said countries, and that no other duties or impositions be demanded than the law appoints. [*Col. Entry Bks. Vol. XXVIII., pp.* 150–151, *Vol. XXIX., p.* 197, *and Vol. XCIII., p.* 152.]

May 12. **236.** The King to Sir Jonathan Atkins, Governor of Barbadoes. A Spanish ship, the San Domingo, [Capt.] Pedro de Lagos, has lately sailed from Spain with permission of that Government for Barbadoes to purchase slaves and transport them to the Spanish Dominions in America and to continue a further trade. *The remainder of this letter is the same as the preceding.* [*Col. Entry Bk., Vol. XLIII., p.* 152.]

May 12. **237.** *Mem.*—Sir John Berry, Commander-in-Chief of His Majesty's ships bound to Virginia, and one of His Majesty's Commissioners, having seized on board a ship then in port a parcel of wine and brandy to the value of about 130*l.*, belonging to a malefactor executed upon the place, and being driven to make use

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of some to entertain some extraordinary Company, His Majesty at a meeting of the Lords Commissioners of the Admiralty, was pleased to grant Sir John Berry's request to have said wine and brandy. 1 *p.* [*Col. Papers, Vol. XL., No.* 78.]

May 12. **238.** Order of the Lords of the Admiralty. Granting a request of Sir John Berry from Virginia for some wine seized from a malefactor in port there, and made use of by Sir John in entertaining extraordinary Company resorting on board him as Admiral, and one of the Commissioners upon the condition he proposes of His Majesty being truly entitled to said goods. *Certified Copy.* 1 *p.* [*Col. Papers, Vol. XL., No.* 79; *also Col. Entry Bk., Vol. LXXX., p.* 195.]

May 13. Whitehall. **239.** The King to Sir William Berkeley. Letter of recall. Refers to a previous letter of recall, dated 5th November 1676, whereby Herbert Jeffreys is constituted Lieutenant-Governor to act in Berkeley's stead; is not a little surprised that he makes difficulty to yield obedience to His Majesty's commands being so clear and plain that we thought no man could have raised any doubt or dispute concerning same. He is now strictly commanded forthwith upon receipt of these letters to put the execution of the government into the hands of said Herbert Jeffreys and then without further delay or excuse repair to His Majesty's presence. [*Col. Entry Bks., Vol. LXXXI., pp.* 542–544, *and Vol. XCV., pp.* 198–199.]

May 13. **240.** The King to Colonel Herbert Jeffreys. Being given to understand that the late rebellion in Virginia is brought to an end and His Majesty's subjects there reduced to their former obedience and tranquillity, he is directed, if the Commissioners judge it consistent with the safety of the Colony, to return hither the greatest part of the soldiers, except only one hundred to remain with the usual number of officers, notwithstanding if any of the soldiers of their own free will desire to stay as planters or servants to give them their discharge and leave them to dispose of themselves accordingly. [*Col. Entry Bk., Vol. XCV., p.* 200.]

{May $\frac{1}{2}\frac{3}{3}$. Barbadoes. **241.** Governor Sir Jonathan Atkins to Lords of Trade and Plantations. Arrival of a Spanish ship from Cadiz desirous to trade for negroes. Finds they once obtained a trade but lost it again by the petulancy of the then Lieutenant-Governor, but are resolved to come again by the persuasions of the Guinea Company, being a new society of merchants who have contracted with the Crown of Spain to furnish them with negroes. Advantages to the Guinea Society and the island, which will also be rid at good rates of refractory, dangerous, and bad negroes, and there will be always a stock ready upon the island for the Spaniard to come and buy within ten or twelve days sail of Havanna, where they carry them all. "Read 17 July." [*Col. Papers, Vol. XL., No.* 80, *and Col. Entry Bks., Vol. I., pp.* 74, 75, *and Vol. VI., pp.* 178, 179.]

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May 14. Whitehall. **242.** The King to Colonel Jeffreys and the Council in Virginia. By His Majesty's letters of the 13th of this instant, Sir William Berkeley is strictly commanded to put the execution of the government into the hands of Colonel Jeffreys and without further delay to repair to the King's presence. In case he shall still persist to make any excuses or scruples, they are commanded to cause said Berkeley to be put on board some convenient vessel there to be forthwith transported to England without further delay. [*Col. Entry Bk., Vol. XCV., p.* 201.]

May 14. Jamaica. **243.** Governor Lord Vaughan to Secretary Sir Joseph Williamson. Account of a privateer landing about 150 negroes in a remote bay of this island. Finding the ship gone, discovered and apprehended some of the seamen, who were examined. The commander was a Scotchman named Brown, most of his men English, the rest French and Dutch; that they left Jamaica about eight months since for Carthagena, where they met with this Dutch vessel trading on the coast and killed the Dutch captain and several of his men. Sent out the frigate and seized 100 negroes concealed in several planters hands. Intends to have them condemned in the Admiralty as goods piratically taken, and to be restored to the right owners. Is sending to Curaçao to acquaint the Governor with what he has done. "Rec. 31 July." 1 *p.* [*Col. Papers, Vol. XL., p.* 81.]

May 15. Whitehall. **244.** The King to Colonel Herbert Jeffreys and the Council in Virginia. Abrogating and revoking Sir William Berkeley's proclamation of 10th February last, and requiring and authorising them to acquaint His Majesty's subjects there with his royal will and pleasure that the said Governor's proclamation shall be deemed to be null and of no validity, and that His Majesty's own proclamation of 27th October last past be punctually obeyed and observed in all points. 2 *pp.* [*Col. Entry Bk., No. XCV., pp.* 202, 203.]

May 15. Whitehall. **245.** Secretary Coventry to Sir William Berkeley. Has received his of 2nd February with relation of the tragical actions in the Colony, and acquainted His Majesty with them and the happy composure of all things by the death of Bacon, and this latter part was very welcome to His Majesty, and Coventry heartily congratulates Berkeley's good success in it. Upon pretences which are no ways understood here, he has delayed if not refused the obedience due to His Majesty's positive commands to return with all speed to England and put the command of the Colony into Colonel Jeffreys hands. His Majesty seemeth not a little surprised as well as troubled also to find a person that had for so many years served his Royal Father and himself through the worst of times with so unshaken a loyalty fall into such great errors as to affront his proclamation by putting out one of his own at the same time, and in that to exempt several persons from pardon. The King hath very little hopes that the people of Virginia shall be brought to a right sense of their duty to obey their Governors when the Governors

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themselves will not obey the King. Prays he will redeem as much as he can by a ready compliance with his present orders. His long services and great loyalty of himself and family have kept the King from resolutions of resentment. Hopes his services will prevail above the present offence and he be restored to His Majesty's opinion and favour, but earnestly presses him to take heed of a further persisting in a wrong course. 3 *pp.* [*Col. Entry Bk., Vol. XCV., pp.* 194–198.]

May 15. Whitehall. **246.** Secretary H. Coventry to the Commissioners for Virginia. In reply to their letter of 2nd February last and of the 10th, promising another despatch by the Deptford Ketch, which we expect with great impatience, for by the results of the Assembly the complexion and temper of the people will be better discerned, and so easier for His Majesty to give orders. How His Majesty relishes Sir W. Berkeley's refusing to return a copy of his letter to Berkeley, and his orders to Colonel Jeffreys and the Council will sufficiently show him. For such goods as have been seized from men neither convicted nor indicted, His Majesty would not have them disposed of till further orders. Complains (very strongly) of their sending their despatches, whether to the King, the Lord Treasurer, or the Secretaries of State, under cover to Mr. Watkins their Agent, and that several of their letters are signed only by their Secretary. "This seems very nigh that which you so justly blame in Sir William Berkeley, for he had as much authority to communicate his instructions to the Clerk of the Assembly as you yours to Mr. Watkins." Does not take these mistakes to have proceeded from neglect or disrespect, but will assure them they are great oversights, and such as have hardly a precedent anywhere. Promises of His Majesty's justice and bounty on their return. To consult upon a place to build a fort for security of the ships and landing of soldiers. 4 *pp.* [*Col. Entry Bk., Vol. XCV., pp.* 188–192.]

May 15. **247.** Secretary Coventry to Colonel Jeffreys. Has received his letter of 14th Feb. (*see ante No.* 66), is glad to hear of his safe arrival (in Virginia), but troubled to find he meets with difficulties in quartering his men, but much more to hear the refusal of the Governor to obey His Majesty's orders. His Majesty, sensible of Berkeley's services and present age, is unwilling unless forced to proceed to extremities, and has once more written enjoining his immediate submission, and delivering up the execution of the government to Jeffreys; but if the Governor pursue the old subterfuges and excuses, His Majesty hath writ the enclosed letter to Jeffreys and the Council to cause Berkeley to be embarked according to the tenor thereof, but in case the Governor comply, then Jeffreys is to retain this letter and not show it to the Council, His Majesty not desiring to add more severity than Sir William his comportments shall necessarily extract from him. [*Col. Entry Bk., Vol. XCV., pp.* 204–205.]

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248. Journal of Lords of Trade and Plantations. Read Order in Council of 11th instant (*ante No.* 232). And their Lordships, taking notice that this complaint is so far from being countenanced by the Governor that he does not affirm in his letters that Barbadoes lies under other want than match, Sir Peter Colleton and Colonel Thornburgh acquaint their Lordships that it is not possible that Governor Atkins should be so soon sensible of the present posture of affairs, and that it is of great use for the defence of the landing place in Barbadoes that a sufficient number of pikes be sent thither. Agreed to report to His Majesty that 1,500 pikes be supplied out of the Office of Ordnance in the usual manner. Report ordered to be prepared concerning the present state and necessities of the Leeward Islands is read. [*Col. Entry Bk., Vol. CV., pp.* 43–44.]

May 15–16.

249. Journal of Assembly of Barbadoes. List of "the returns" according to election for the several parishes. (*See names presented to the Council No.* 252.) Said gentlemen then met at the house of Paul Gwynn, in St. Michaels Town, to choose a Speaker, and every member present gave in a paper with the name of the person he desired to be Speaker. William Sharpe chosen, whereupon the House presented their Speaker to the Governor and Council, and then returned to their own House. Election of John Higinbotham for their Clerk, and Joseph Withers, Marshal. Being invited by the Governor to dinner the House adjourned at three o'clock.

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By appointment of the Governor, John Sparke, a Member of the Council, came to the House and administered the oaths to John Higinbotham and Joseph Withers. Here follow the oaths. John Sparke also administered the oaths of allegiance and supremacy to the newly elected Members of the Assembly, Samuel Husband, Lieutenant-Colonel Alexander Ruddock, Captains John Meyricke and Richard Williams. Orders and Rules for governing the body of the Assembly in their votes, debates, and other proceedings for the honour of that House, read, 24 in number, and being put to the vote were passed *nem. con.* Adjourned to 12th June 1677. [*Col. Entry Bk., Vol. XIII., pp.* 253–259.]

[May 16.]

250. *Mem.*—That the Lords of Trade and Plantations were attended on 16th May by Sir Peter Colleton and Colonel Thornburgh, who presented the following paper, desiring their Lordships to report to His Majesty that pikes are wanted for six regiments of foot in Barbadoes, most of the pikes there having been destroyed by the worm and the hurricane. 1 *p.* [*Col. Papers, Vol. XL., No.* 82 ; *also Col. Entry Bk., Vol. VI., p.* 155.]

May 16. Whitehall.

251. Secretary H. Coventry to Colonel Moryson. Has particularly represented to His Majesty at the Committee for Foreign Affairs the hardness of his condition above the rest (of the Commissioners), both having other employments as Lieutenant-Governor and Commander-in-Chief of the ships, and both His

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Majesty, His Royal Highness, and the whole Council, seemed satisfied that his case was very different from his two comrades. Is commanded to assure him that upon his return there shall be a full and ample compensation made to him, and "that you rely upon this promise without making your colleagues acquainted with it." 2 *pp.* [*Col. Entry Bk., Vol. XCV., pp.* 193, 194.]

May 16. **252.** Journal of the Council of Barbadoes. The Assembly men for this year elected were presented as follows:—

John Witham, Esq. - - -	St. Philips.
Richard Pocock, Esq. - -	
Rowland Bulkley - - -	St. Georges.
Samuel Husband, Esq. -	
Richard Seawell, Esq. - -	Christ Church.
Major Richard Williams -	
William Sharpe, Esq., Speaker -	St. Josephs.
Captain Edw. Bynny -	
Colonel William Bate - -	St. Michaels.
Colonel Richard Guy - -	
John Maddox, Esq. - -	St. Lucyes.
Thomas Dowden, Esq. - -	
Edward Littleton, Esq. -	St. James.
James Walwyn, Esq. - -	
Lieutenant-Colonel Alexander Ruddock	St. Peters.
Major John Steart - -	
Lieutenant-Colonel James Carter -	St. Thomas.
John Davies, Esq. - -	
Thomas Leake, Esq. - -	St. Andrews.
John Meyricke - - -	
Henry Walrond, junior, Esq. -	St. Johns.
Colonel Christopher Codrington -	

They presented Colonel William Sharpe for their Speaker. [*Col. Entry Bk., Vol. XI., pp.* 294, 295.]

May 17. Whitehall. **253.** The King to Lord Vaughan, Governor of Jamaica. To cause John Ball to be sworn a Member of the Council of that Island immediately on receipt of this letter. [*Col. Entry Bks., Vol. XXVIII., p.* 152, *and Vol. XCIII., p.* 153.]

May 17. Council Chamber. **254.** Report of the Lords of Trade and Plantations to the King. In obedience to His Majesty's Order in Council of 9th inst. (*see No.* 224), have called before them the Agents for the Leeward Islands and perused Governor Stapleton's letters. Briefly remind His Majesty of what is already past, their first representation of 18th June 1675 (*see previous volume, No.* 597), but nothing was effected in reference to His Majesty's orders thereon. After this, on 8th January following (? 23*rd December* 1675, *see ibid, No.* 756), their Lordships reported on the state of St. Christopher's, and although His Majesty gave orders to his Ambassador in Paris (*8th January* 1676 *see ibid, No.* 774), to solicit a speedy dispatch of justice, no success attended that negotiation. They then proceeded on 18th

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February (? *3rd February, see ibid, No.* 808) to offer what they thought expedient for the security of the Leeward Islands, which, being read in Council 18th February following, His Majesty did not think fit to give his orders thereon. Their Lordships crave leave to repeat their opinions then offered to His Majesty. Understand that the Lord Treasurer has paid all arrears due to the Companies of foot and salary due to Governor Stapleton, so offer that for the greater convenience of future payments a certain fund be settled to that end. Further represent that besides the foregoing necessities which daily grow more pressing upon said islands there is a general want of arms and ammunition, and as Colonel Stapleton has informed them, not one whole barrel of powder in St. Christopher's, in Montserrat but two barrels and no shot, and but few arms fit for service in the other islands, for which a speedy supply is the more requisite, inasmuch as the French upon St. Christopher's are more than four to one in number stronger than His Majesty's subjects, have good magazines on all their islands out of which arms and ammunition are delivered and by convenience of constantly attending frigates are able to unite the whole strength of their government upon all occasions. And besides the building a fort upon Cleverley Point, Colonel Stapleton is strongly of opinion that one strong fort should be built upon each island. And he does not now think that less than six Ministers can suffice to be sent over. Lastly, they represent Colonel Stapleton to His Majesty as a faithful Governor, prudent, able, and vigilant Commander, and a person fit to be continued in His Majesty's favour, and for his encouragement and according to his request beseech His Majesty to give orders that the pay due to him as Lieutenant-Colonel in Sir Tobias Bridge's regiment with incident charges may be satisfied. *Signed by* Anglesey, Ormonde, Craven, Fauconberg, and Henry Coventry. 13 *pp. Endorsed,* "Rec. 18 May, Read in Council 23 May 1677." *Annexed,*

254. I. Order of the King in Council on the preceding report. That copy be given to the Lord Treasurer to consider of the sums of money therein mentioned, and His Majesty will on Wednesday next take the whole matter into his serious consideration when the Agents and other persons concerned are required to give their attendance. [*Col. Papers, Vol. XL., No.* 83, *and Col. Entry Bk., Vol. XLVI., pp.* 200–218.]

May 18. Whitehall. **255.** The King to Governor Sir J. Atkins. To remove William Sharpe, Chief Judge of the Bridge Court in Barbadoes, from his said office and supply his room by some other person qualified by his integrity and sufficiency for said employment according to his instructions in such cases. [*Col. Entry Bk., Vol. XCIII., p.* 153.]

May 18. Whitehall. **256.** Order of the King in Council. The Lords of Trade and Plantations having reported their opinions that the Planters in Newfoundland be continued in the possession of their houses and stages according to the usage of last years until His Majesty's further order, the Commissioners of the Admiralty are ordered to direct

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the Captains of the convoys now going to Newfoundland not only to make publication of His Majesty's pleasure, but to take care that nothing be attempted contrary thereto. Said Captains are also to be directed to return particular answer to several Heads of Enquiry by the Lords of Trade and Plantations. *Annexed,*

256. I. Twenty-seven Heads of Enquiry for Newfoundland together. 5 *pp.* [*Col. Papers, Vol. XL., Nos.* 84, 84 I.]

May 18. Whitehall. **257.** The Secretary to the Lords of Trade and Plantations to His Majesty's Commissioners for the affairs of Virginia. Transmit Duplicates of what was delivered by their Lordships order to Sir John Berry on 12th October last to which they are desired to make as speedy answer as they conveniently can. 1 *p.* [*Col. Papers, Vol. XL., No.* 85.]

[May 18.] **258.** Account of the great artillery, powder, arms, and ammunition in Barbadoes, signed by William Bate, 29th May 1673, with the following note by Sir Peter Colleton. That said account was given to him by Colonel Bate, keeper of the magazine there four years since, but many of the pikes are rotted and delivered out, and the muskets spoiled in the great hurricane. *With mem.*—That Mr. Secretary Williamson gave this account to the Committee. 1 *p.* [*Col. Papers, Vol. XL., No.* 86, *and Col. Entry Bk., Vol. VI., pp.* 155–156.]

May 18. Council Chamber. **259.** Report of Lords of Trade and Plantations to the King. Have examined petition of merchants and planters at Barbadoes, and heard Sir Peter Colleton and Colonel Thornburgh on their behalf, who say that for six regiments of militia in the Island there are not one hundred pikes, and that a sufficient number is of absolute necessity for defence against the assault of the enemy. Are of opinion that the Master of the Ordnance furnish fifteen hundred pikes to be transported to the island. 1 *p.* [*Col. Papers, Vol. XL., No.* 87, *and Col. Entry Bk., Vol. VI., p.* 158.]

May 18. Whitehall. **260.** Journal of Lords of Trade and Plantations. Heads of inquiry concerning the plantation and fishery of Newfoundland and the state of the French there, recommended to the captains of the convoys, approved. Account of the islands Statia, Saba, and Tortola gathered out of the plantation books, and Colonel Stapleton's letters read. Mr. Secretary Coventry making a difficulty to sign the Report of the state of the Leeward Islands before the particulars concerning the Indians (and Colonel Philip Warner) were debated, that there may be no further delay in representing the posture of affairs in those parts, their Lordships sign said Report, the clause touching the Indians being laid aside. Mr. Pepys to dispatch duplicate of a packet to the King's Commissioners of Virginia by a ketch in the Downs. Affairs in Newfoundland between adventurers and planters to remain in the present condition till further order. Letter read from Sir Jonathan Atkins, dated 16th March last (*ante, No.* 92), giving a short account of the fight between

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the Dutch and French at Tobago, and referring their Lordships to a more particular relation transmitted to Secretary Coventry which Mr. Secretary is desired to impart to their Lordships. In the letter to be forthwith written to Governor Atkins notice to be taken that he has only asked for match and not for pikes, and that he be directed to send over a particular account of the stores in Barbadoes.

A packet sent to Mr. Pepys, directed to His Majesty's Commissioners for Virginia, duplicate of that delivered to Sir John Berry on 12th October last, which Pepys is to dispatch by a ketch in the Downs going to those parts. His Majesty having this day ordered in Council that affairs in Newfoundland between the adventurers and planters should remain in their present condition until further order, and that the convoys going thither give intimation to that effect, also that they return a particular answer to certain inquiries prepared by the Committee, said Order in Council and inquiries delivered to Mr. Pepys to the end the Lords of the Admiralty give order according. [*Col. Entry Bk., Vol. CV., pp.* 45–47.]

May 22. **261.** Warrant from Anthony Earl of Shaftesbury, one of the Lords Proprietors of Carolina and of all the Bahama Islands, appointing Captain John Wentworth his deputy in said islands during pleasure. [*Col. Entry Bk., Vol. XX., p.* 122.]

May 22. **262.** Lords Proprietors to [the Governor of the Bahama Islands ?]. Have given full power to Captain John Wentworth to demand and recover from Isaac Rush the estate belonging to ——— Banker, and strictly charge him to aid and assist said Captain Wentworth. Also recommend impartial justice in the case of Colonel Power and his partner, who complain of very great injuries done by Isaac Rush, that they may have no reason to complain of their Lordships as those that shelter ill-men. It is also their Lordships pleasure that Isaac Rush be discharged from the office of Secretary, and some other fit person appointed "it being not fit that a person against whom we ourselves and others have complaints of so high nature should be continued in that employment." [*Col. Entry Bk., Vol. XX., p.* 122.]

May 22. Maryland. **263.** Governor Thomas Notley to Charles Lord Baltimore. If reports be true Sir William Berkeley and the Commissioners have not well accorded, so that until Sir William left on the 5th instant nothing was done either to secure the people from the barbarous Indians or to settle the peace or constitution of the Courts, and the people still almost as much dissatisfied as ever and look upon His Majesty's Commissioners as spies and men of no good intentions. Believes if there were any person courageous enough in Virginia to venture his neck the Commons would immure themselves in rebellion as deep as in Bacon's time. Whatever the great men of Virginia may use at the Council Board in England, you may be sure much, if not every tittle of this, is truth. If Colonel Jeffreys build his proceedings upon the old foundation neither he

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nor all His Majesty's soldiers in Virginia will satisfy or rule those people who have so little hopes as yet of amendment and are generally dissatisfied. Colonel Jeffreys through Colonel Spencer has tendered his service and desired Governor Notley to hold fair correspondence with himself and the Government of Virginia as he did in Governor Berkeley's time, which he has promised to his utmost labour to be serviceable to His Majesty's interest. 1¼ *pp.* [*Col Papers, Vol. XL., No.* 88.]

May 23. Whitehall. **264.** Order of the King in Council. Approving Report of Lords of Trade and Plantations of 18th instant (*ante, No.* 259), and directing the Mastor General of the Ordnance to provide and deliver to Sir Peter Colleton or Colonel Thornburgh fifteen hundred pikes upon such terms and conditions as have been practised in cases of like nature. [*Col. Entry Bk., Vol. VI., pp.* 157–159.]

May 24. Potomac River, Virginia. **265.** Nicholas Spencer to Charles Lord Baltimore. Takes the opportunity by Captain Quighly of informing him of the state of this troubled country, which, though freed from open rebellion, "the putrid humours of our unruly inhabitants are not so allayed, but that they do frequently vent themselves by unsavoury bitches," and were they not awed by the overruling hand of Majesty would soon express themselves by violent acts, for it's not law, but will, and that the evilest of wills, that they would rule by. But his Lordship is fully acquainted with the nature of our rabble. Have fair hopes of peace from our Indians. part of whom have solicited a peace to which end the great men of Indian nations in open hostility are on 29th instant to meet our Lieutenant-Governor and Council to treat for a general peace of which by the necessity of the Indians they hope to have a good effect, and will be effected before the arrival of His Majesty's forces. 1½ *pp.* [*Col. Papers, Vol. XL., No.* 89.]

May 24. Barbadoes. **266.** [The Royal African Company's Factors in Barbadoes] to the Company. Arrival of an interloper belonging to Colonel William Sharpe, Chief Judge, John Worsam and Major John Hallett, two of his Assistants (as our Stephen Gascoigne was informed by Colonel John Stanfast), Philip Cheeke and Roger Cowley, a Commissioner of Customs, which gives great encouragement to other people to take this liberty, seeing those that sit in great places and live by the King's Commissions presume to act as they do. The ship brought but 98 negroes, and but few or no elephants teeth. Advice of her arrival, came a little too late for they were twelve miles distant, and the negroes were landed and carried to Colonel Richard Bailey's plantation, close to the landing-place, about an hour before the factors got there. Acquainted the Governor with it who sent for Colonel Bailey, and he told him the negroes were sent for by Judge Sharpe and the other before named. These men have been very solicitous to turn out the Company's factors from their offices for doing their duty. "Sure it would discourage the whole fraternity of interlopers if some of these be displaced for their disobedience to the King's commands."

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June 16. Arrival of an interloper with 120 negroes landed on the back part of the island before the factors had notice, having been on board the Company's ship all day selling negroes. Leonard Woodfine was Commander and Richard Bate, Barnard Schenckingh, and Arthur Middleton, Owners. Impossible for the factors to prevent the landing, those employed to give notice being beaten and wounded without any cause given. 1½ *pp.* [*Col. Papers, Vol. XL., No.* 90.]

May 26. **267.** Warrant of the Commissioners for Virginia. Appointing Colonel John Epps, James Biss, Captain Nicholas Wyatt, and John Stith, or any three of them, upon oath to take depositions of persons appointed by Charles City County to present their grievances by reason they live so remote from the place of residence of said Commissioners. With memorandum signed by Herbert Jeffreys, and dated 7th June 1677, appointing the 15th of June instant for bringing in the depositions abovesaid, His Majesty's Commissioners being absent. 1 *p.* [*Col. Papers, Vol. XL., No.* 91.]

May 28. Whitehall. **268.** Secretary Sir H. Coventry to Lieutenant-Colonel William Stapleton, Governor of the Leeward Isles. His Majesty thinking it not fit for his service that Colonel Philip Warner should be any longer continued in any public employment, has commanded, according to an Order in Council, that said Colonel Warner be put out of his government of Antigua, and any other employment or trust in His Majesty's service. [*Col. Entry Bk., Vol. CX., p.* 110.]

May 28. Whitehall. **269.** William Blathwayt to William Freeman. The King has thought fit to appoint that copy of the Report of the Lords of Trade and Plantations concerning the Leeward Isles, read on Wednesday last (23rd), be given to the Lord Treasurer to prepare himself to speak on the several heads contained in it on Wednesday next, when it will again be read in Council. And for the better understanding the several particulars as the necessity of a fort at Clevesley Point, &c., the maps are to be ready, and the persons acquainted with those parts to give their attendance, so that it will be requisite for Freeman, Colonel Stapleton, and Captain Gorges to attend the Council at ten in the morning. 1 *p.* [*Col. Papers, Vol. XL., No.* 92.]

May 28. Jamaica. **270.** Governor Lord Vaughan to Secretary Coventry. Cannot find he has omitted anything that has passed relating to His Majesty's service. Has had no easy part to act, nor is it easy for those to discern the fittest measures to be taken in so remote an employment. Refers to his endeavours to suppress privateers and enforce the Acts of Navigation. It was great joy to hear His Majesty was well satisfied with his method of proceeding. His Commission and instructions need revising to do the King service. Has preserved all things hitherto in a very quiet posture. Gives account of the late transactions of the Council and Assembly who met on 9th April, and lays before him for consideration his private

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judgment in matters of near concern to His Majesty's interest, and necessary for his service. Refers to the laws he transmitted in 1675, mostly the same as were made by Sir Thomas Lynch. Had reason to surmise trouble in the next Assembly, and describes how he discovered and prevented what was in agitation—obstruction of the Council to the Act of the Militia. Complains of his having no positive power without them, and not being able to "suspend any on misbehaviour or unfaithfulness without their consents." Seven of the eleven Councillors "voted it quite out," and openly asserted His Majesty's Commission was no law to them, whose names are given. They moved against having His Majesty's last instruction proclaimed in favour of the Royal African Company. Foresees he shall be forced to refuse several Bills this session. Explains that all the reward he is likely to have for his service is his salary in England. His Majesty's interest cannot be secured here but by a Governor whose dependence is only from England, and who has no private interests in Jamaica. And since the Council are so wholly interested here, and have no dependence in England, it should be in the Governor's power to suspend them. Observations on what more might be done under several heads. The Council, most of them, "old standers and officers of Cromwell's army." No forces in pay, and inexperienced in discipline. The privateers very numerous, and perpetually supplied with runaway servants and others from the island. Let him send what orders he will about privateering, there are almost none to execute them but who are one or the other interested. These practices so long settled it is no easy matter to suppress them. Both Council and Assembly alike interested, so nothing left but the Governor's negative voice to deny what they demand, and so little power in the Governor, and so much given to the people that when they will they may do what they please. Presumes to mention some considerations towards effecting the necessity of the firm settling His Majesty's authority upon a lasting foundation. Doubts not if he had leave of absence for seven or eight months he could well satisfy His Majesty in all the interests and advantages of this island. Is satisfied as long as he serves His Majesty well he shall not lose the government. 7 *pp.* [*Col. Papers, Vol. XL., No.* 93.]

May 28 to July 14.

271. Observations of Wentworth Greenhalgh in a journey from Albany to the Indians westward begun 28th May and ended 14th July 1677. The Maques have four towns: Cahaniaga, Canagora, Canajorha, Tionondogue, and one small village, about 110 miles from Albany. Cahaniaga is double stockadoed, and has four ports about four foot wide apiece, contains about 24 houses, and is situate upon the edge of a hill, about a bowshot from the river side. Canagora is only singly stockadoed, with four ports and 16 houses on a flat, a stone's throw from the water side. Canajorha is singly stockadoed, and the like manner of ports and houses, as Canagora, about two miles from the water. Tionondogue is double stockadoed, with four ports, 30 houses, on a hill a bowshot from the river. The small village is without fence, with about 10 houses, close by the

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river on the north side as all the former. The Maques pass in all for about 300 fighting men; their corn grows close by the river side. The Onyades have but one town, 130 miles west of the Maques, 20 miles from a small river which comes out of the hills to the southward and runs into the lake Teshiroquè, and 30 miles from the Maques river, which lies to the north; the town is newly settled, doubly stockadoed, but little cleared ground, so that they are forced to send to the Onondagos to buy corn, with 100 houses; they are said to have about 200 fighting men, and their corn grows round about the town. The Onondagos have but one town, very large, with about 140 houses, not fenced, on a large hill, the bank on each side extending at least two miles, all cleared land, whereon the corn is planted; they have likewise a small village two miles beyond with 24 houses; they lie to the southward of the west about 36 miles from the Onyades, and plant abundance of corn which they sell to the Onyades; they are in number about 350 fighting men, and lie about 15 miles from Teshiroquè. The Caiongos have three towns about a mile from each other, not stockadoed, with 100 houses, 60 miles south of the Onondagos; they intend next spring to build all their houses together and stockade them, have abundance of corn, lie within two or three miles of Lake Tishero, pass for about 300 fighting men. The Senecques have four towns, Canagaroh, Tiotehatton, Canoenada, Keint-he; Canagaroh and Tiotehatton lie within 30 miles of Lake Frontenacque and the others four or five miles to the south of these, have abundance of corn, none of their towns are stockadoed. Canagorah lies on the top of a great hill much like Onondago, with 150 houses, 72 miles north-west of Caiongo. Here the Indians were very desirous to see us ride our horses, which we did; the Indians made feasts and dancing, and invited us, that when all the maids were together, both we and our Indians might choose such as liked us to lie with. Tiotehatton lies on the brink of a hill, has not much cleared ground, is near the river Tiotehatton (which signifies bending), lies west of Canagaroh 30 miles, with 120 houses, the largest they saw, the ordinary being 50 or 60 feet and some 130 or 140 long, with 13 or 14 fires in one house; they have good store of corn growing about a mile west of the town. Being at this place 17th June, there came 50 prisoners from the south, of two nations, some whereof have few guns, the other none at all; one nation is about 10 day's journey from any Christians and trade only with one great house not far from the sea, the other trade only, as they say, with a black people; two women and a man were burnt on that day and a child killed with a stone; at night there was a great noise as if the houses had fallen, but it was only the inhabitants driving away the ghosts of the murdered. On the 18th, going to Canagaroh, overtook the prisoners; when the soldiers saw us they stopped each his prisoner and made him sing, and cut off their fingers and slashed their bodies with a knife, and when they had sung each man confessed how many in his time he had killed; that day at Canagaroh there were most cruelly burnt four men, four women,

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and one boy, the cruelty lasted about seven hours, when they were almost dead letting them loose to the mercy of the boys, and taking the hearts of such as were dead to feast on. Canoenada lies about four miles south of Canagorah, with about 30 houses, well furnished with corn. Keint-he about four or five miles south of Tiotehatton, with 24 houses, well furnished with corn. The Senecques are counted in all to be about 1,000 fighting men. The French names of the Indian tribes. The towns are called Chappells. 3 *pp. Printed in New York Documents, Vol. III., pp.* 250–252. [*Col. Papers, Vol. XL., No.* 94.]

May 29. **272.** Articles of Peace between King Charles the Second and the several Indian Kings and Queens, assentors and subscribers hereunto, made and concluded at the Camp at Middle Plantation, 29th May 1677. *Signed by* the Queen of Waonoke, the Queen of Pamunckey, Captain John West, her son, the King of the Nottoways, and the King of the Nancymond Indians. *Certified copy by Thomas Ludwell, Secretary.* Also Memorandum signed by Sir John Berry and Colonel Moryson. That said Articles of Peace were read and expounded to the several Indian Kings and Queens by sworn interpreters, and that the King of the Appomatucks, who earnestly desired to be admitted to sign this Peace, was not allowed to partake of the benefit of the same until he should clear himself of the suspicion of some murders on His Majesty's subjects. *Annexed,*

272. I. Reference, signed by Secretary Coventry, of the above by His Majesty's orders to the Lords of Trade and Plantations, to report their opinion in order to the printing of the same and sending copies to Virginia. Whitehall, 23 Sept. 1677. 6 *pp.* [*Col. Papers, Vol. XL., No.* 95.]

May 29. **273.** Printed copy of the preceding Twenty-one Articles of Peace with several Indian Kings and Queens. London: Printed by John Bill, Christopher Barker, Thomas Newcomb, and Henry Hills, Printers to the King's most Excellent Majesty, 1677. 18 *pp.* [*Col. Papers, Vol. XL., No.* 96.]

274. Most humble Proposals on behalf of the Indian Kings and Queens now tributary to your most sacred Majesty within your Colony of Viriginia. That seeing the late peace with the neighbour Indians, and that they all own to hold their crowns immediately of His Majesty, that His Majesty bestow small crowns or coronets on the same tributary Kings and Queens to be made of thin silver plate, gilt, and adorned with false stones of various colours, &c., and that they may also each have a purple robe of strong cloth. With list of the names of each King or Queen, their characters, and the presents to be given; the whole charge will not exceed 120*l.* *Signed by* Sir John Berry and Colonel Francis Moryson. 8 *pp.* [*Col. Entry Bk., No. LXXXI., pp.* 264–271.]

May 29. Falmouth. (Antigua). **275.** Orders of the Governor and Council of Antigua. In reference to bonds and securities for shipping the productions of this island in accordance with instructions from His Majesty's

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Commissioners of Customs in London. That in regard several members of the Assembly are deceased since the last adjournment, ordered that there issue forth from the Governor writs for electing others in their room, to meet on Thursday, 7th June, at Falmouth. [*Col. Papers, Vol. XXV., No.* 55*.]

May 31. Whitehall. **276.** Lords of Trade and Plantations to Governor Atkins. Have received his letters of the 6th December and 8th February, and his last of 6th March. The Virginia fleet being happily arrived, express to him their satisfaction for the prudent diligence he has used for His Majesty's service in that particular. Desire to be informed of the resolutions of the Dutch to maintain, plant, and defend Tobago against the French, which by its neighbourhood seems very much to affect his government. The Master of the Ordnance has been directed to deliver the match requested "to the person you employ." Very much wonder to find that after his inquiry into the stores of his Government without complaint of any further want that the Merchants and Planters of Barbadoes have set forth to the King in Council the unprovided condition of the island, especially in small arms and desired a supply of 1,500 pikes as absolutely necessary for defence, and although such representations should come from the Governor alone, still in consideration of the present posture of affairs their Lordships have offered their opinions to His Majesty, that said number of pikes be furnished from the Tower to Sir Peter Colleton or Colonel Thornburgh, and His Majesty has given the necessary orders. To prevent any future address of this kind, he is requested to send an exact account of artillery, arms, and all other stores. Also to send list of the Council and Assembly, and all officers, civil and military. 3 *pp.* [*Col. Papers, Vol. XL., No.* 97; *also Col. Entry Bk., Vol. VI., pp.* 171–173, *and Vol. CV., pp.* 48–49.]

[May.] Received. **277.** "Extracts of letters from Barbadoes" [in Sir Peter Colleton's handwriting]. An error in a judgment given by Judge Sharpe in the Bridge Court, which would have overthrown all the judgments given in that Court since Judge Sharpe's sitting there. Sharpe voted by the Assembly an unfit man to be a Judge, the reasons given that he said he had as good blood in his veins as any Charles Stuart, and other objections (of a most blasphemous nature). 1676, December 9, and 1677, January 23. *Annexed,*

277. I. Account of Judge Sharpe's fraudulent proceedings, in reference to a deed he was employed to draw by Conset withdrawing the trust of his estate, one of the best in the island, from one Turner, and to place it in Christopher Codrington, then Deputy Governor of the island.

277. II. A shorter account of the preceding, but with additions. That Conset's wife dying left her estate to Lieutenant-General Henry Willoughby, who, arriving at Barbadoes, was invited to supper by Codrington, who had taken possession of the estate, and went from Codrington's

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house well at night, but after he got to his lodging fell into a violent burning of the stomach, and died the next morning at seven o'clock. In 1674 Sharpe persuaded the Asssembly, which he said equalled the House of Commons, to deny the Council any power over bills for money, which occasioned great disputes. In 1675 he appeared with and abetted rioters against the Royal Company's factors, who were seizing negroes landed by an interloper. In 1676 to remedy the confusion caused by the reversal of so many of Judge Sharpe's judgments the Governor was forced to have an Act of Assembly, which was not completed in December last. *Together* 5½ *pp. Endorsed,* "A relation of some actions of Judge Sharpe. Rec. May 1677." [*Col. Papers, Vol. XL., Nos.* 98, 98 I., II.]

May 31. Whitehall. **278.** Journal of the Lords of Trade and Plantations. It being proposed to appoint some time to consider the present state of the affairs of New England, Secretary Williamson acquaints their Lordships that the two papers, delivered to the Committee by Mr. Bridgman on the 21st, containing several articles drawn up by Mr. Randolph, were referred by His Majesty in the Council of Foreign Affairs to their Lordships, as papers relating to His Majesty's Plantations. Their Lordships order that the Lords Chief Justices be desired to hasten their report on the pretensions of Mason and Gorges, and that they be informed that their delay puts a stop to a considerable part of His Majesty's affairs relating to New England. The merchants who petitioned concerning the irregularity of trade in New England ordered to attend the next meeting. [*Col. Entry Bk., Vol. CV., pp.* 50–52.]

May. **279.** Estimate of the charge of three months' provision to be sent to Virginia for 1,000 men. *Endorsed,* "Estimate of the charge of the victuals to be sent to Virginia." 1 *p.* [*Col. Papers, Vol. XL., No.* 99.]

June 1. Whitehall. **280.** Order of the King in Council. Approving report of the Lords of Trade and Plantations to His Majesty concerning the Leeward Islands. That the Earl of Danby, Lord High Treasurer, give orders for payment of 500*l.* for the erecting a fort at Cleverley Point; that advising with Sir Thomas Chicheley Master of the Ordnance, he take care for a speedy supply of small arms and other warlike materials. That in order to a further supply of inhabitants for St. Christopher's some merchants have declared they would willingly transport thither 300 malefactors, provided they were not obliged to pay for them at the gaols in regard of the great fees demanded by the keepers; the Lords of Trade and Plantations having advised with Sir John Shorter, sheriff, found said charges might be reduced to 1*l.* 11*s.* per head, the Lord Treasurer is therefore ordered to give such directions therein as are necessary. [*Col. Entry Bk., Vol. XLVI., pp.* 219–222.]

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June 1. **281.** Minute of the Lord Treasurer's Report to the King about what is wanting for the Leeward Islands (*see ante, Nos.* 254, 264). As to the 3rd Article the money is paid. 4. The sheriffs of London are to be allowed it on their account. 5. His Lordship will give order for the 500*l.* 6. He must adjust this business with the Master of the Ordnance. 8. It's settled on the 4½ per cent. and will be paid. [*Col. Entry Bk., Vol. XLVI., p.* 218.]

June 1. Whitehall. **282.** Warrant to the Commissaries General and Commissaries of the Musters. That whereas Francis Wheeler, Ensign of Captain Godfrey's Company of foot in the regiment of guards commanded by Colonel John Russell, is gone with His Majesty's leave as a Volunteer in the expedition to Virginia, they take off his respites for the Musters past, and allow and pass him in the succeeding Musters until his return or His Majesty shall signify his further pleasure. ½ *p.* [*Dom. Entry Bk., Chas. II., Vol. XLIV., p.* 45.]

June 1. Whitehall. **283.** Secretary Sir Joseph Williamson to Governor Atkins. Is commanded by the King to send the enclosed relating singly to His Majesty's service and the public, His Majesty being concerned that it comes speedily to his hands. [*Col. Entry Bk., Vol. XCIII., p.* 153.]

June 2. **284.** Answer of the Council of Virginia about the Heads of Inquiry sent to them by the Commissioners for Sir William Berkeley. That he has gone for England and they conceive will there give His Majesty a full account of each particular. *Signed by* Nathaniel Bacon, Philip Ludwell, Deputy Secretary, William Cole and Ra. Wormeley. *Endorsed* Recd. from Colonel Morison, 9 December 1677. 1 *p.* [*Col. Papers, Vol. XL., No.* 100.]

June 6–9. **285.** Minutes of the Council of Jamaica. Aug. Gable, [*sic*] Member of the Assembly, sworn. Six Bills brought from the Assembly read the first time; proceedings on other Bills.

June 12–16. Debate upon several Bills, some read first and second time and other passed.

June 19. Message that the Assembly had expelled Thomas Martin and desired the Governor would grant a new writ for the choice of a member in the parish of St. David.

June 20. Conference consented to about the Bill of slaves and the Bill for regulating the Marshal's proceedings.

June 22. The Council agree with the Assembly to amendments they did not consent to.

June 23. Proceedings on several Bills including a Bill empowering Elizabeth, widow of Jonathan Atkins, late of the parish of Vere, to make sale of seventy acres of land for payment of her husband's debts. Adjourned to 23rd (? 25th) July. [*Col. Entry Bk., Vol. XXXV., pp.* 588–603.]

June 6. **286.** Journal of the Assembly of Jamaica. Augustine Gavell [*sic*] detained hitherto by sickness to be sworn by Council. The House not satisfied with his excuse for his long absence require better satisfaction. Members absent to be fined extraordinary twenty shillings.

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June 7. Proceedings on several Bills. Petition of Martin read, the matter not considered clear, and he seemed to reflect upon the House insinuating he was ready with his answer, whereas he ought to have acknowledged the favour of the House. Resolved not to receive any further address until he sends his answer in writing to the articles against him which message voted to be sent to him.

June 8-9. Several Bills advanced a stage. Permission to Martin to go about his private affairs with his keeper till the House sat again.

June 12-16. Debate on various Bills. Information that Martin said he was confined for moving some things in the House for the benefit of the country, as for diminishing the freight of boats, penning of cattle, and continuing of lawyers. The depositions of Captain Fargoe and Mr. Medley desired to that effect. Warrant brought from the Governor to a Committee to take depositions in Martin's business. The above depositions brought in, debate thereon. Consideration of Martin's business; the charges against him and his answers. Martin brought to the Bar of the House and the business heard. Major Parker's business heard praying for a Bill for ferrying people he having obtained a patent; Committee appointed to draw it up. Petition of Samuel Batch and others desiring some certain rule for levying a parish tax, thrown out. Petition of Richard Williams for a reward for services against rebellious negroes to be laid aside until the House knows what he has already received. Consideration of Martin's business. Additional article of charge against him delivered to Martin. Resolved to make a final determination of this matter and voted *nem. con.* that he be expelled the House, be fined 50*l.* sterling, and make a recantation in writing to the Governor. Said fine to go towards repairing the Assembly House. That he stand committed until he has paid the fine and other charges, and made the recantation now drawn up for the Governor's approval. Martin sent for, but answered he was indisposed in bed and could not come. To pay 20*s.* each to Captain Fargoe and Mr. Medley for their expenses. Martin called to the Bar, when the Speaker acquainted him with the sentence of the House to which Martin made this response, "that he could not complain of the justice of this House, but of his own misfortunes, and that he had rather the sentence of death had passed upon him than this as God was his witness" and thereupon went from the Bar.

June 19. Petition of John Charles Stapleton read; voted that he be paid for the rebellious negroes he killed at Walls House. On reading Hutchinson's petition, ordered that Mr. Scroop be sent for to answer interrogatories touching Benjamin Whitecomb's estate. The privateers petition for release from prison left to the law. Committee appointed to inquire into Collett's services against rebellious negroes on his petition. Proceedings on several Bills. Petition of Elizabeth Atkins about her late husband's estate, a Bill to be drawn.

June 20-23. Concerning Hutchinson's petition above named. Committee to inquire about the parties sent out against the rebellious negroes. Proceedings on various Bills. Warrant signed by the Speaker for

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the Marshal to keep Martin in his custody. The Speaker and Assembly attend the Council when the Governor signs several Bills. Adjourned to 23rd July. [*Col. Entry Bk., Vol. XXXVII., pp.* 174–180.]

June 7. **287.** Report of the Lords of Trade and Plantations to the King. That the Lord Privy Seal signify to His Majesty that it now remains that the King declare his pleasure concerning the other heads of their Lordships' report touching the Leeward Isles presented 23rd May last. That the English be restored to their rights and possessions in St. Christopher's, and His Majesty's extent of sovereignty be asserted by fresh applications to the Court of France. That six Ministers be sent to the Leeward Isles. That the two Companies of St. Christopher's be recruited out of the guards or otherwise. And that a frigate be ordered to attend the Governor for his transportation from one island to another and other occasions. "Read in Council 8 June 1677." *Two copies.* [*Col. Papers, Vol. XL., Nos.* 101–102, *and Col. Entry Bk., Vol. XLVI., pp.* 222–224.]

June 7. Whitehall. **288.** Journal of the Lords of Trade and Plantations. Order that the Judges be hastened to make their report on the case of Mason and Gorges. Paper of Mr. Randolph referred by His Majesty's order of 31st May read and the several heads considered. Randolph attends and explains the allegations of his paper. Petitions of merchants against the irregularity of the trade in New England (formerly read 6th April 1676), and of mercers and weavers to the same effect (read 10th April 1676), and Report of the Commissioners of Customs read. Sir Thomas Lynch acquainted their Lordships that while he was Governor of Jamaica a ship belonging to New England came into the port laden with brandy directly from France, and on his refusal to permit her to trade, returned to New England of which he informed Captain Wyborne, then at New England with a frigate, who attempted to seize her but was hindered by the magistrates. Another gentleman assured their Lordships that on notice of the petition presented by the merchants, 6th April 1676, there was a ship lying at Amsterdam designed directly for New England, which was thereupon directly otherwise disposed of. Upon the whole matter their Lordships agree to report that the opinion of the Judges be taken on the matter of law. On this report it was ordered in Council on the 8th instant, that the Committee consider the paper and receive the opinion of the Judges upon it. [*Col. Entry Bk., Vol. CV., pp.* 52, 54.]

June 7. **289.** Report of Lords of Trade and Plantations to the King. Have considered Randolph's representation (*see ante, No* 218), but find the articles of so high concern that before any further progress be made it will be necessary to consider the opinion of the Judges touching the matter of law. Propose that the paper of atticles and such others as may be given in evidence by Randolph be referred to the Judges. [*Col. Entry Bk., Vol. LX., pp.* 208, 209.]

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June 8. Whitehall. **290.** Order of the King in Council. Referring Representation of Edward Randolph to Lords of Trade and Plantations to take the opinion of such judges as they think fit on the heads relating to matter of law and that the King's Counsel attend their Lordships. 1 *p.* "Read 12 June 1677." [*Col. Papers, Vol. XL., No.* 103 ; *also Col. Entry Bk., Vol. LX., p.* 209.]

June 8. Whitehall. **291.** Order of the King in Council. Approving report of Lords of Trade and Plantations, and directing the Bishop of London to take care that six able Ministers be sent to the Leeward Isles by his license and appointment, and that they attend his Lordship concerning their transportation and maintenance at their arrival. [*Col. Entry Bk., Vol. XLVI., pp.* 224, 225.]

June 8. Whitehall. **292.** Order of the King in Council on report of the Lords of Trade and Plantations. That Mr. Secretary Coventry forthwith give directions to His Majesty's Ambassador in France vigorously to insist that justice may forthwith be done to His Majesty and his subjects that are aggrieved concerning St. Christopher's. [*Col. Entry Bk., Vol. XLVI., pp.* 225, 226.]

June 11. Swanns Point. **293.** Lieutenant-Governor Herbert Jeffreys to Secretary Sir Joseph Williamson. Relation of the late solemnity in Virginia of the Indian Peace with which was celebrated His Majesty's birthday at the Camp at Middle Plantation (*see The Treaty of Peace, ante No.* 272). Refers to Sir William Berkeley's letter of 28th April, (*see ante, No.* 198), which was not sent to Jeffreys until June 7 by Lady Berkeley ; it has given him no great disquiet, because he is confident that he stands justified here against every contumelious paragraph of it. The minds of the Council poisoned with the opinion that Jeffreys acts only as Sir William's Deputy. Has suspended one Ballard from the Council and Collectorship, a fellow of a turbulent mutinous spirit, yet one that knows how to be as humble and penitent as insolent and rebellious, and for these virtues is called by Sir William Berkeley his Mary Magdalene, but was before Bacon's chief trumpet, parasite, subscriber and giver of his unlawful oath, and an eminent abettor of the late rebellion. 2 *pp.* [*Col. Papers, Vol. XL., No.* 104.]

June 12. Whitehall. **294.** Journal of the Lords of Trade and Plantations. Order in Council of 8th instant read. Their Lordships think fit to distinguish the matter of law from the matter of State ; refer the right of the Bostoners to land or government, and their forming of themselves into a commonwealth to the Judges and King's Counsel as matters of law ; their protection of the King's murderers is a matter of State ; coining money, putting to death for matters of religion, are to be referred and examination made whether by charter they are enabled so to do, and the complaints about His Majesty's Commissioners, the oath of fidelity, and the violation of the Acts of Trade and Navigation, are looked upon as matters of State ; the Book of Laws to be transmitted to the Judges who are

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to consider of their consistency with His Majesty's charter. Upon which it is agreed to report to His Majesty. *See next entry.* [*Col. Entry Bk., Vol. CV., pp.* 60, 61.]

June 12. Whitehall. **295.** Report of Lords of Trade and Plantations to the King. Had met to consider the representation of Edward Randolph, but being directed to receive the opinion of the Lords Chief Justices and of the King's Counsel, did not think it proper to proceed till the Judges had discharged themselves of the case between the New England Government and Mason and Gorges. Cannot forbear to lay before the King that part of the representation concerning the Acts of Trade and Navigation, the breach of which by said government has been clearly made out as well by petitions of the King's subjects as by other evidence. For the prevention of the mischief and in consideration of the customs, which are much impaired by the irregular course of trade practised by the Bostoners, their Lordships propose that the New England Government receive notice of the King's pleasure that said Acts be duly executed, and that the Lord Treasurer appoint such officers of the Customs at Boston and other parts as the Acts prescribed. *Signed* Anglesey, Craven, J. Bridgwater, J. Williamson, J. Ernle, Philip Lloyd. "Read in Council 15 June 1677; to be kept till the Judges report come in; ordered to be read again when the Judges give in their report concerning Mr. Mason and Bostoners." 2 *pp.* [*Col. Papers, Vol. XL., No.* 105; *also Col. Entry Bks., Vol. LX., p.* 210, *and Vol. CV., pp.* 61, 62.]

June 12. **296.** Journal of Assembly of Barbadoes. The presenting of a sum of sugar to the Governor for the better support of the Government to be considered at the next sitting of the House. The Speaker desired, in behalf of the House, to move the Governor that he take care the Spaniard, being admitted to trade here, may not be to the prejudice of the country. Ordered that the Governor be desired, at the next sitting, to appoint Members of the Council to join with a Committee of the Assembly to settle the accounts of the Treasurer for the Excise and the Receivers appointed by the last Act, and to consider the renting out of the Excise and the method. Adjourned to 10th July 1677. [*Col. Entry Bk., Vol. XIII., pp.* 259, 260.]

June 12. **297.** Depositions and examinations taken upon oath by virtue of the Dedimus of His Majesty's Commissioners of 26th May last, to John Epps, James Bisse, Nicholas Wyatt, and John Stith, of Charles City County, in reference to the remonstrance and address of the same county, in order to the proving the complaints and grievances therein mentioned. 16 *pp.* [*Col. Papers, Vol. XL., No.* 106.]

June 13. **298.** Instructions [from Governor Andros] to Lieutenant Anthony Brockles and Ensign Cæsar Knapton, together with Mr. Matthias Nicholls, for erecting a fort at Pemaquid. *Endorsed,* "Received

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from Sir E. Andros. *Printed in New York Documents, Vol. III., pp.* 248, 249. 3 *pp.* [*Col. Papers, Vol. XL., No.* 107.]

June 14. **299.** Journal of the Lords of Trade and Plantations. Letter read from Sir Jonathan Atkins, dated 17th April 1677, wherein he desires an explanation of the word "journal," required by their Lordships in their letter of 21st December 1676. Agreed to reply that they do not mean impertinencies mentioned by him, but a particular relation of all things enumerated in their first letter of 11th August 1677 (*sic*), and a letter is accordingly ordered to be prepared. Inquiry to be made at the Admiralty whether any frigate be dispatched for the Leeward Islands. Agreed to move His Majesty in Council that orders be speedily given for recruiting the two companies at St. Christopher's. Account read of the islands of Statia, Saba, and Tortola, how they have been formerly possessed, and what advantage they may procure to the English plantations in case they do remain under His Majesty's sovereignty, in order to give Colonel Stapleton directions how to behave himself in case they be redemanded by the Dutch in pursuance of the treaty at Breda, which at present they forbear to do by reason of the strength of the French in those parts. After long debate, agreed to direct Colonel Stapleton to continue said islands in the state they are at present, and not to make surrender of them until further order. [*Col. Entry Bk., Vol. CV., pp.* 63, 64.]

June 15. Whitehall. **300.** Order of the King in Council. A motion made by the Lords of Trade and Plantations about recruiting the two companies at St. Christopher's. His Majesty declared he would give orders for it in due time. [*Col. Entry Bk., Vol. XLVI pp.* 226, 227.]

June 15. Whitehall. **301.** The King to Governor Sir Jonathan Atkins. To cause John Witham to be sworn a member of the Council of Barbadoes as soon as any place of a Councillor becomes void. [*Col. Entry Bk., Vol. XCV., p.* 208.]

June 16. Whitehall. **302.** Secretary Coventry to Sir William Berkeley. Is commanded by His Majesty to let him know that His Majesty would speak with him because there are some ships now going to Virginia, and His Majesty would see what further instructions may be necessary to be sent by them. [*Col. Entry Bk., No. XCV., p.* 207.]

303. The names and short characters of those that have been executed for the late rebellion in Virginia "from the Governor's own hand." Five at Accomac, viz., Johnson, Barlow, "one of Cromwell's soldiers," Carver, Wilford, and Harsford; four at York "whilst I lay there," viz., Young, Page, Harris, and Hall, a clerk of a county but more useful to the rebels than forty armed men. William Drummond a Scotchman, at the Middle Plantation, and three, viz., Colonel Crewes, Bacon's parasite, Cookson, and Darby (Digby *in Col. Entry Bk.*) "condemned at my house and executed when Bacon lay before James Town." 2 *pp. Two copies.* [*Col. Papers, Vol. XL., Nos.* 108, 109; *also Col. Entry Bk., Vol. LXXXI., pp.* 52–54.]

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304. Petition of Sir William Berkeley, Governor of Virginia, to the King. Has been above 35 years Governor of Virginia, which Colony he recovered from almost a state of ruin. It now produces nearly 100,000*l.* per annum revenue to the Crown in Customs, and was in a flourishing state till Bacon's rebellion, when the petitioner not only hazarded his life, but is totally ruined in his fortunes, to the value of above 10,000*l.* sterling. But that which is yet more insupportable, he has been misrepresented to His Majesty, being sent home for England, so that by reason of a tedious passage and grief of mind, petitioner is reduced to extreme weakness, and being desirous to clear his innocency before he dies, prays that if there be any aspersions or calumnies against him he may clear his innocence and not be disturbed in the receipt of his salary, the only support left to himself and family. 1 *p.* [*Col. Papers, Vol. XL., No.* 110.]

June 19. Whitehall. **305.** Secretary Sir H. Coventry to Sir Jonathan Atkins, Governor of Barbadoes. Has forborne a good while writing about Mr. Wyatt's business as Clerk of the Market out of a willingness to comply with his motion of accommodating the matter between the parties if it could have been done, and to that end has had patience till Fitzherbert, father of him who executes that office now, was come to London and had conference with Wyatt in order to an agreement. But Wyatt says he doth so undervalue the office in his offers that there seems no appearance of bringing them to an accord, thereupon could no longer defer acquainting His Majesty with the state of the case, who is firm in his resolution of doing Wyatt both justice and kindness. His Majesty therefore will have his Letters Patent take place, and commands that he who now executes that office surrender the same without delay unto such capable person as Wyatt shall appoint, who Governor Atkins is forthwith to admit into the actual execution and benefit of the place. Should have been glad the parties had given him occasion to write otherwise, but all he can say is that His Majesty's (commands) must be obeyed. [*Col. Entry Bk., Vol. CX., p.* 111.]

June 20. Whitehall. **306.** Journal of Lords of Trade and Plantations. Their Lordships taking notice that the laws of Jamaica referred to Mr. Attorney General have remained long with him without dispatch, order a letter to be written to him to hasten his report. *Mem.*—On 15th following my Lord Privy Seal did in the Council Chamber express their Lordships' intentions that this letter should be suspended until after the term. [*Col. Entry Bk., Vol. CV., p.* 67.]

June 20. **307.** "Reflections on the state of the Spaniards and the island of Jamaica," [by Sir Thomas Lynch]. It is to the English interest that the Spaniards be preserved in the possession of what they have in the West Indies, for their colonies are large and thin of people, so they cannot take from the English anything they hold. The Spaniards have great wealth and no industry, so the English that trade to Spain and in the West Indies may get

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sufficiently by them which they cannot by any other nation. It is as much against the interest of England to have any more colonies in America as it is for it to have those they now possess peopled and fortified, especially Jamaica, which would then do more against the Spaniards than all the power of England. Reasons why war and privateering obstructs the planting and peopling of Jamaica. To check the Spaniards and show the King's resentment of any affronts done His Majesty, suggests that the King give the new Governor of Jamaica the title of Viceroy of Jamaica, New England, or America, and that if the King assumes the power of placing Governors in New England they may have an appearance of depending upon Jamaica, and have the powers and advantages which are set forth. 3 *pp.* [*Col. Papers, Vol. XL., No.* 111.]

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June 21. Westminster.

308. Grant of the Office of Lieutenant and Governor-General of Virginia to Thomas Lord Culpepper, during life, in reversion after the death or other determination of Sir William Berkeley. This Grant is dated 1675 and abstracted in the previous Volume of this Calendar, p. 247, No. 599, and the Patent is dated 8 July 1675. By an Order of the King in Council of 20 July 1677, Lord Culpepper attended and took the oaths as Governor, *see No.* 360. [*Col. Entry Bks., Vol. LXXX., pp.* 299–303, *and Vol. XCV., p.* 158.]

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June 21. Whitehall.

309. Lords of Trade and Plantations to Governor Sir Jonathan Atkins. Have perused his letter of 17th April (*see ante, No.* 187). Cannot but take notice of the great difficulty he finds to comprehend their meaning of the word "journal." Desire him to reflect upon their letter of 11th August 1675, wherein they expected from him a journal of all things upon the distinct heads there at large enumerated. Are sorry he should think they wanted an account of trivial matters or impertinences, and hope a Government of such importance may present him with material occurrences for their advertisement, so that they may the better be enabled to provide for the security of that Government and the encouragement of His Majesty's subjects there. Hope His Majesty's frigate the Constant Warwick, Captain de la Ware, has arrived at Barbadoes. [*Col. Entry Bk., Vol. VI., pp.* 173–174.]

June 22. [Maryland.]

310. Lieutenant-Governor Thomas Notley to [Governor of Virginia]. Has sent an agent to New York, by means of Colonel Andros, to come to a treaty with the heads of all the nations who were in a possibility of annoying us who wishes to know what the Governor of Virginia's designs may be as to the Indians that live to the northward that he may not thwart them. Desires he will signify his resolutions with speed, because the Congress at Fort Albany is appointed for 15th July. It is the custom of the Indians to make presents with every Article of peace, and they expect the same from us, so desires to know what he will insist upon, and the presents he will think for us to give in his behalf. 1 *p.* [*Col. Papers, Vol. XL., No.* 112.]

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June 22. [Virginia.] **311.** Nicholas Spencer to Philip Calvert, Chancellor of Maryland. Is sorry Pinckney's deceits are so prevalent. The 29th May produced a peace, but cannot say the terms. The Nanzatico Indians came not in, but some have since come who declare their willingness to peace, and to manifest it run the hazard of their lives privately to get into English houses as a sanctuary where they had formerly lived, and had been destroyed by our wild-headed rabble if Spencer had not restrained them. 1 *p.* [*Col. Papers, Vol. XL., No.* 113.]

June 26. Whitehall. **312.** Journal of Lords of Trade and Plantations. Being informed that a ship is going within a month to the Leeward Islands their Lordships agree to move His Majesty in Council that order be speedily given for the recruits intended for St. Christopher's.

The Lord Privy Seal having acquainted their Lordships that several considerable sums of money raised in Virginia in 1674 and 1675 as a public stock to be made use of for rewards and other expenses for defraying the charges of agents sent to procure a charter for that Colony and other public necessities, had been lately (by a new assembly called by Sir William Berkeley, while affairs were yet in distraction, and the regular manner of elections unsettled) disposed of and distributed by bills of exchange drawn upon the Treasurer now remaining in England, to uses which are neither like to be agreeable to the intentions of the new Assembly (called by the present Governor) nor conducing to the resettlement of that country which is in a very miserable and necessitous condition, their Lordships agree to propose in Council that His Majesty call before him the Treasurers and other persons concerned in Virginia, and to examine the true state of this matter in order to give such directions as may be for His Majesty's service and the good of the Colony. [*Col. Papers, Vol. XL., No.* 114; *also Col. Entry Bks., Vol. LXXX., pp.* 138, 139, *and Vol. CV., pp.* 71–73.]

June 26. Jamaica. **313.** Governor Lord Vaughan to Secretary Coventry. The Assembly have not yet finished their business. Has transmitted some Bills passed. Remarks on an Act declaring it felony for any of His Majesty's subjects belonging to this island to serve under a foreign prince. Advice from Petit Guavos that the Dutch had burnt all French vessels on the coast of Hispaniola, and had taken Curaçao with 500 negroes and 28 lbs. of gold, and gone to Caymanos. Thinks D'Estrées is still at Martinique. It grieves him to be forced to send home the frigate when there is so much need of her, begs that another be speedily sent to preserve their trade. *Annexed,*

313. I. List of all the laws made in Jamaica. It includes the titles of those made by Sir Thomas Lynch in 1672 and by Lord Vaughan in 1675, abstracted in previous volumes of this Calendar; also titles of the Acts made at Jamaica, 9th April 1677, now transmitted by Governor Vaughan.

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313. II., III. Titles of the Acts made at Jamaica, 9th April 1677, and referred to in Governor Vaughan's above letter, with abstracts of the ten Acts passed. *Two copies.*

313. IV. An Act declaring the laws of England in force within this island and the territories thereto depending, being No. 7 in above list of Acts. 1677, April 9th. [*Col. XL., Nos. Papers, Vol.* 115, 115 I.–IV.; *also Col. Entry Bk., Vol. XXIX., pp.* 139–142.]

June 26. New Plymouth. **314.** Governor Josiah Winslow to the King. "Your unworthy servant and subject humbly craves your royal pardon for this bold intrusion to kiss your hands by these rude lines, and hope I shall obtain it, because they flow from no other fountain but the loyalty of my heart and affection to your Majesty's person and interest. I have been greatly ambitious ever since your happy return to your kingdoms to have waited on your Majesty that I might have obtained the happiness to see the Prince in whom the nations that are your subjects are so happy, but being prevented by some public employments upon me (though unworthy) in this your Colony of New Plymouth, and especially in two or three years last past of our troubles occasioned by the rebellion of our neighbouring Sachems or Indian Princes and their people and allies, I despair (at least for the present) to enjoy such a favour, and therefore adventure these few lines." Will not trouble His Majesty with the calamities they have suffered from so barbarous an enemy (because that will be presented to His Majesty by some that have lately put forth the narrative), but assures the King that the rebellion was not provoked, and that they had not failed to the uttermost of their power to maintain the King's interest and their own against their violent intrusions. Craves His Majesty's favourable acceptance of a few Indian rarities, the best of their spoils of the ornaments and treasure of Sachem Philip, the grand rebel, most of them taken by Captain Benjamin Church (a person of great loyalty and the most successful of their Commanders) when slain by him, being his crown, gorge, and two belts of their own making of their gold and silver. Prays that God will bless the King with a numerous and virtuous progeny. *Endorsed,* "From the Gov^{r} of Plimouth with the Indian spoiles." 1 *p. With seal.* [*Col. Papers, Vol. XL., No.* 116; *also copy of the above, dated June* 12, *Col. Entry Bk., Vol. LXI., p.* 28.]

[June 30.] Whitehall. **315.** The King to Lord Vaughan, Governor of Jamaica. Has received from him several letters and depositions of the cruel treatment of His Majesty's subjects by the Spaniards and referred same to Committee of Trade, upon whose report His Majesty will give directions agreeable to justice. In the meantime the case of William Winford, fourth son of Sir John Winford, hath been already examined, who find that about two years since, being master and owner of the Adventure, he was shipwrecked in the Bay of Campeachy, then took shipping under command of Captain

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White, whose ship in August last was taken by Spaniards, and said Winford and all on board carried prisoners to the Havanna and used in a most barbarous manner. Requires him to represent to the Governor of the Havanna this affront to His Majesty and severe treatment of his subjects, and that they be released from confinement. *Mutilated.* [*Col. Entry Bk., Vol. CX., p.* 112.]

July 3. Whitehall. **316.** Journal of Lords of Trade and Plantations. Mr. Secretary Coventry acquaints their Lordships that having presented to His Majesty several letters and papers lately received from the Commissioners and Governor of Virginia, His Majesty refers them to their Lordships' examination, and promises to transmit the same to them.

Their Lordships, taking notice that, after so long time, the Judges have not yet made their report concerning the difference between Mr. Mason and the Government of Boston, order their Lordships to be reminded and desired to hasten their report. *Mem.*—In the evening Mr. Blathwayt attended my Lord Chief Justice Rainsford, who declared that he would prepare the report, if possible, for Thursday se'night. [*Col. Entry Bk., Vol. CV., pp.* 75, 76.]

July $\frac{4}{14}$. Barbadoes. **317.** Governor Sir Jonathan Atkins to Lords of Trade and Plantations. Sickness has made him incapable of doing business, and he still languishes under the weakness of so great a distemper usual in this climate and often fatal. Has been alike unfortunate in two ships bound home, which carried his letters, and sprung leaks at sea, forcing them to Antigua. The merchants traders hither are in England, Jacob Lucie, Sir John Bendish, John Bawdon, Captain George, Colonel Searle, Sir Peter Leir, and others he knows not. These have all very considerable plantations here, and return great quantities of sugar. Goods imported not considerable, provisions excepted; greatest part of ships' cargoes liquors; very few factors of value. Colonel Drax, one of the first gentlemen of the island, who is thought to ship sugars to the value of 5,000*l.* sterling. Colonel Samuel Newton has a very considerable estate. All the Council have considerable plantations, and so have very many more, which will be too tedious to give in particulars. To make a computation of the commodities of this island exported is very difficult, it amounts to many millions of sugar (*sic*) yearly, of several rates, the coarse Muscovado the greatest. Very little ginger and indigo grown, and no tobacco. Appeals to their Lordships' justice in an affair which concerns both his honour and interest as to an Order of the King in Council for him to pay 2,700*l.* for a prize brought in by the Phœnix frigate condemned in the Admiralty Court of England, all the particulars of which he describes. Death of Colonel Henry Hawley, one of the Council, nearly 80 years of age, who forty years ago was Governor. Recd. 11 Sept. 1677. $2\frac{1}{2}$ *pp.* [*Col. Papers, Vol. XLI., No.* 1, *and Col. Entry Bk., Vol. VI., pp.* 180–184.]

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July 6. **318.** List of Papers concerning Virginia delivered to Mr. Blathwayt which His Majesty has commanded that the Lords of Trade and Plantations do consider and report their opinion thereon. These include the Declaration of Governor Herbert Jeffreys of 27th April, letter of the Commissioners to Governor Berkeley and the Governor's reply of 23rd April, also letter from Lady Berkeley of 23rd April, and letters from Governor Berkeley of 25th April, and of the Commissioners to Mr. Watkins of 4th May, all calendared in order of date. *Signed by* Sir H. Coventry (*Col. Papers, Vol. XLI., No.* 2) and were referred as above on 14th July 1677. [*Col. Entry Bk., Vol. LXXX., p.* 144.]

July 10. **319.** Journal of Assembly of Barbadoes. Resolved to present the Governor with 200,000 lbs. of Muscovado sugar for his support in the Government of this island, and that Colonel William Bate, Treasurer, pay the same out of the excise upon liquors. That the Speaker request the Governor and Council that the Bill presented by the last Assembly for regulating the Court of Chancery and the fees, and also a Bill to suppress seditious conventicles, may pass or be returned with amendments. Also that the Governor will enquire into the cause why the public informers are discountenanced contrary to the Act for preventing Quakers bringing negroes to their meetings. Also that the Governor having been hindered by sickness will now expedite the business of the fortifications. Ordered that the Treasurer pay the salary of Thomas Rawlins, chief gunner of the forts at Austin's Bay, 5,000 lbs. of Muscovado sugar, also 2,000 lbs. to John Price as clerk upon the Committee for inspection of the laws. Matthew Yates to have credit for excise of thirty-two pipes of Madeira pricked and unsaleable.

July 11. Act to empower Benjamin Middleton to sell his estate for payment of his debts read the second time. Ordered that the Treasurer allow to William Goodall for his levy on lands and negroes and houses, and for those belonging to Robert Margetts and for a debt due to the estate of Thomas Pargiter. Also that Tobias Frere be also allowed his levy. Petition of Richard Seawell for payment of about 10,000 lbs. of sugar due to him for making carriages, ironwork, and other materials for mounting the guns about the forts at Austin's Bay, granted. Committee appointed of the Council and Assembly to adjust and settle the accounts of the Treasurer for the excise and the several Receivers appointed by the last Act for the levy on land and negroes, and to consider the renting out of the excise. On petition of Samuel Checkley, the duty to be allowed on three pipes of wine turned sour and unsaleable, and on petition of Edward Crispe the duty to be allowed on seventy butts of wine burnt in the year 1668 in the town of St. Michaels to his great loss. Petition of Jacob Legay for his disbursements about the Bridge and of Robert Stanford for repayment of his overpaid levy. Act explanatory of the Act of underwriting and arrests, passed. Adjourned to 4th September 1677. [*Col. Entry Bk., Vol. XIII., pp.* 260–265.]

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July 11. Whitehall. **320.** Order of the King in Council. On report of the Lords of Trade and Plantations in reference to the appropriation of considerable sums of money raised in Virginia in 1674 and 1675 that Thomas Ludwell and Colonel Daniel Parke, Treasurer for Virginia, attend the Board concerning this matter on the 13th instant, and that in the meantime no public moneys of said Colony be disposed of. [*Col. Entry Bk., Vol. LXXX., pp.* 142, 143.]

July 11. Whitehall. **321.** Order of the King in Council. The Lords of Trade and Plantations finding it requisite for His Majesty's service that copies of several commissions, charters, and patents be taken out of the Rolls, ordered that such copies be delivered to their Lordships without fee or charge whatsoever, except the labour of the clerks employed in the searches and transcribing said copies according to custom. [*Col. Entry Bk., Vol. XCVII., p.* 46.]

July 11. **322.** Memorandum of the Lords of Trade and Plantations. The Lord Privy Seal is desired to signify to the King in Council that whereas by an Order of 15th June (*see ante, No.* 300) His Majesty directed that levies should be made for the recruit of the two companies at St. Christopher's in due time, their Lordships being informed a ship is shortly departing for those parts, desire His Majesty to declare his further pleasure concerning said levies. *Annexed,*

322. I. Order of the King in Council. Recommending to the care of Lords of Trade and Plantations to see that all necessary orders be forthwith issued for making said levies and transporting them to St. Christopher's by the conveniency that now offers. [*Col. Papers, Vol. XLI., No.* 3, *and Col. Entry Bk., Vol. XLVI., pp.* 230–231.]

July 11. **323.** Memorandum concerning injuries done to the English by the Spaniards in the West Indies under pretence of the logwood cutting. That the Lord Privy Seal is desired by the Lords of Trade and Plantations to signify to His Majesty on reading their Lordship's Report on this subject, that the chief questions upon which these differences arise are—1. Whether the English have any right to cut logwood in any part of the West Indies claimed by the Spaniards? 2. Whether the Spaniards have right to take all ships they find at sea laden with logwood? 3. Whether the Spaniards have right to seize all ships which they find upon their coast? "Read in Council, 11 July 1677." *Two copies.* [*Col. Papers, Vol. XLI., Nos.* 4, 5.]

July 11. **324.** Report of the Lords of Trade and Plantations to the King. That having received through Secretary Coventry several letters, accounts, and depositions (*referred to above*) transmitted by Lord Vaughan, touching injuries and affronts offered by the Spaniards to the English in the West Indies, and considering that not only His Majesty's sovereignty appears to be thereby disputed but his

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subjects obstructed in their lawful trade and oppressed by unwarrantable cruelties, their Lordships lay the whole facts before His Majesty. Lord Vaughan also adds he was credibly informed no less than sixty English remained at the Havanna prisoners, who were worse used than they would be in Algiers and are without all hopes of redemption. These sufferings and the continual breach of peace call for effectual and speedy redress. *Draft with corrections, 10 pp., also fair copy. Two papers.* [*Col. Papers, Vol. XLI., Nos. 6, 7, and Col. Entry Bk., Vol. XXIX., pp. 129–133.*]

July 11. Whitehall. **325.** Order of the King in Council on preceding Report. That Secretary Coventry speaks effectually with Count Bergeyh, Spanish Envoy Extraordinary, for redress of the affronts and injuries referred to, and acquaint him that if some speedy course be not taken, His Majesty will be forced by the clamours of his subjects to use such means for their reparation as honour and justice oblige him to, and that Secretary Conventry expostulate with said Envoy Extraordinary that His Majesty's subjects have free liberty to trade in logwood in regard it is not contraband, but frequently sold by the Spaniards to His Majesty's subjects. [*Col. Papers, Vol. XLI., No. 8, and Col. Entry Bk., Vol. XXIX., pp. 128–133.*]

July 11. **326.** Report of Lords of Trade and Plantations to the King. On petition of Thomas Martin and Leonard Compeare complaining that they are discouraged and obstructed by Governor Lord Vaughan in the execution of the office granted to them by patent to receive all duties payable to His Majesty in Jamaica, offering their opinion that His Majesty forthwith signify his pleasure to Lord Vaughan to admit petitioners into full possession of the office of Receiver. *Draft and fair copy. Together, two papers. 6 pp. The above petition with several enclosures including the Order of the King in Council approving aforesaid Report are all abstracted in the previous volume of this Calendar, see Nos. 986, 986 I.–XI.* [*Col. Papers, Vol. XLI., Nos. 9, 10.*]

July 12. **327.** Petition of Thomas Martin of Jamaica, merchant, to Lords of Trade and Plantations. Praying their Lordships to report so much of his case as has been already agreed on, leaving the matter of instructions until the Lord Treasurer give his directions. *Signed by* Thomas Martin. "Rec. 5 July, Read 12 July 1677. Ordered." Their Lordships in consideration of the long attendance of the petitioner ordered accordingly. *Annexed,*

327. I. Order in Council on report of Lords of Trade and Plantations that Secretary Coventry prepare a letter for the King's signature to Governor Lord Vaughan to admit petitioner to enjoy the full benefit of his patent. 1677, July 13.

327. II. The King's letter to Governor Lord Vaughan above mentioned. Whitehall, 1677, July 14. [*Col. Papers, Vol. XLI., Nos. 11, 11 I., II.; and Col. Entry Bks., Vol. XCV., p. 209, and Vol. CV., p. 79.*]

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July 12. Virginia. **328.** William Sherwood to Secretary Sir Joseph Williamson. Has formerly given him the trouble of his two petitions to the King, and begged he would promote this affair. Has now desired his friend Samuel Wiseman to importune his Honour in it, because his future well-being depends thereon; he will give an ample account of the rise, progress, and cessation of the troubles here. 1 *p.* [*Col. Papers, Vol. XLI., No.* 12.]

329. Petition of William Sherwood of James City, Virginia, to the King. Several inhabitants of said Colony who were executed for rebellion were indebted to petitioner and have forfeited their estates. Petitioner came to England on purpose to inform His Majesty of the miserable condition of said Colony and has been a great sufferer by the rebellion. Prays that he may receive his just debts out of said forfeited estates. *Annexed,*

329. I. Affidavit of William Sherwood of James City, gentleman, before His Majesty's Commissioners for Virginia. Amount of debts due to him by several persons named, all of whom have been attainted or executed for their late rebellion. Certified by the Commissioners. 1677, May 26. 2 *pp.* [*Col. Papers, Vol. XLI., Nos.* 13, 14; *see also Col. Entry Bk., Vol. LXXXI., p.* 431.]

July 12. **330.** Petition of William Sherwood of James City, Virginia, gentleman, on his own and Richard James' behalf, to the King. That while on his voyage to England to inform His Majesty of the miserable condition of the Colony, the late Governor Sir William Berkeley having left James Town to the rebels, they beseiged it and totally burnt and destroyed said town, with the Church and State House; in which fire, in right of said James, an orphan, petitioner lost one thousand pounds sterling. That Richard Lawrence, one of the grand rebels, did with his own hands destroy petitioner's houses, and having neither wife nor children is fled out of said Colony. Prays a grant of such of said Lawrence's estate as he can discover in Virginia. 1 *p.* [*Col. Papers, Vol. XLI., p.* 15.]

July 13. Whitehall. **331.** The King to Lord Vaughan, Governor of Jamaica. By Letters Patent of 16th September 1672, His Majesty erected an office of Chief Clerk to attend the Supreme Court at St. Jago de la Vega, and granted said office to Robert Clowes, to be exercised by him or his sufficient deputy; and whereas said Robert Clowes did appoint two deputies, who both died soon after being admitted to said office and thereupon deputed another fit person to succeed them whom his Lordship has refused to admit, and having now nominated Charles Herbert to be his deputy whom His Majesty is informed to be well qualified, His Majesty, on report of the Lords of Trade and Plantations, hereby signifies his express pleasure that Lord Vaughan forthwith admit said Charles Herbert to said office; and also be assisting to said Robert Clowes or his assigns in the recovery of all fees, profits, and arrears due to him from said office since he has been entitled thereto, and has

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legally appointed his deputies, reasonable satisfaction being made to those who have officiated by his Lordship's order. *This letter was written on petition of Robert Clowes, see Order of the King in Council, ante No.* 28 v., 3 *pp.* [*Col. Entry Bks., Vol. XXVIII. pp.* 153-155, *and Vol. XCIII., pp.* 153, 154.]

July 13. Whitehall. **332.** Order of the King in Council. That Thomas Ludwell and Coloned Daniel Parke, Treasurers for Virginia, forbear to issue out or dispose of any public monies (of Virginia) to any persons whatsoever, without receiving His Majesty's Order in Council for the same. [*Col. Entry Bk., Vol. LXXX., pp.* 143, 144.]

July 13. New Plymouth. **333.** Nathaniel Morton, Secretary, by order of the General Court, to the King. Humbly begs pardon for not having given an account of their late troubles in the day of them, which was not from any disrespect. Philip, a proud and ambitious Sachem, began the mischief in this Colony, which by unmanly treacheries and great sufferings gave occasion to some that judge only of events to pass hard censures on them. It was always their care to live kindly and inoffensively by the Indians; they possessed not one foot of their lands but what they obtained by lawful purchase. When an English plantation was near a body of Indians the English frequently fenced their fields for them that the cattle might not damnify them, and on complaint of trespass English justice was speedily granted, yet they treacherously fell on our most remote and weakest plantations, committing outrages on those that had been most kind to them. The plot was generally against all the English. Will not trouble the King with an account of the war, as it will be presented in Mr. Hubbard's printed narrative. All the benefit they can hope for is that they, being freed of such ill neighbours, may live quietly and be protected against the encroachment of their English neighbours on their conquered lands which have cost them dear and are within their patent grant. Their Rhode Island neighbours were so ungrateful that, after having had the island given them when banished by the Massachusetts, they obtained of the King by misinformation a good quantity of our best lands on the main, now called Conquest Lands, which were returned to Plymouth on better information by the Commissioners; they are coveting it again, as there is reason to fear, and some may pretend to have a right by purchase, but this could not be good, the lands being within Plymouth Patent, and there being a law that no one should obtain lands of the Indians without the Court's allowance. The truth is the authority of Rhode Island being in the hands of Quakers during the war they scarcely showed an English spirit either in offering to assist their distressed neighbours or relieving their own plantations on the main, but on the rout of the Indians took in many of their enemies, thereby making a profit of their neighbours' expense of blood and treasure. They would rather bear some injuries than complain, and if too much oppressed will rather address the King than attempt to right themselves on their fellow-subjects. Requests

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the King's protection. 1 *p.*, *with seal.* [*Col. Papers, Vol. XLI., No.* 16; *also Col. Entry Bk., Vol. LXI., pp.* 5–10.]

July 16. Aboard the Bristol, Virginia. **334.** Thomas Ludwell to Secretary Sir Joseph Williamson. Seven months on his passage; the three weeks he has been back too short a time to enquire into the true causes of the discontents yet amongst the people which the Commissioners have not effectually taken away. Is of opinion it will very much contribute to their future settlement if His Majesty send a full Act of Indemnity, but with reservation of every man's right to the recovery of just debts. Doubts not many will beg the estates of those who suffered for their rebellion; his opinion thereon, "since in such disturbances it is impossible, but all who had estates must suffer loss, so such course may be taken to lessen it as shall be found practical." His Majesty's ships under the command of Sir John Berry near sailing; no supplies can be had this time of year where the people make tobacco their sole commodity. Wants of the soldiers; in a very sickly condition. Thinks 200 men placed in a good fort sufficient to prevent any future disturbances; suggests an impost upon all liquors imported, as at Barbadoes, to defray the charges. 2 *pp.* [*Col. Papers, Vol. XLI., No.* 17.]

July 17. Whitehall. **335.** The King's Warrant to Sir John Robinson, or in his absence to Captain Francis Rainsford at the Tower of London. To raise by beat of drum about the City of London 57 men for recruiting the two foot Companies in St. Christopher's. Countersigned by Secretary Sir Henry Coventry. *Annexed,*

335. I.–II. Two lists of the names of the fifteen and forty-two private soldiers raised by Captain Rainsford and mustered at the Tower. *Signed by* D. Cranford.

335. III.–IV. Contract with the Commissioners of the Navy for transporting the above soldiers to St. Christopher's in the Hopewell, 120 tons, Michael Russell, Master. Also Heads of said Contract. 1677, July 24.

335. V.–VII. Receipts for the soldiers aboard the Hopewell with their names. Also for 57 beds, rugs, blankets and pillows, and for clothing. 1677. August 9th–11th.

335. VIII. Account of the red coats, breeches, shirts, shoes, stocking, hats, neck-cloths, beds and beddings, hammocks for the above 57 soldiers. Total cost 160*l.* 5*s.* 6*d.* "Allowed this 21st September 1677."

335. IX. Account of the charges for raising, keeping, and embarking 57 men, recruits for His Majesty's service in St. Christopher's. Total, 115*l.* 11*s.* 0*d.* "Allowed, 8th November 1677." *Together, ten pages.* [*Col. Papers, Vol. XLI., Nos.* 18, 18 I.–IX., *and Col. Entry Bk., Vol. XLVI., pp.* 232–240.]

July 17. Whitehall. **336.** The King's Order, signed by Secretary Sir Henry Coventry. That the seven papers herein described relating to the

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affairs of Virginia be referred to the consideration of the Lords of Trade and Plantations. [*Col. Papers, Vol. XLI., No.* 19; *also Col. Entry Bk., Vol. LXXX., pp.* 151, 152.]

July 17. **337.** Memorial of abuses which are crept into the Churches of the Plantations presented to the Lords of Trade and Plantations by [Henry Compton], Lord Bishop of London. In reference to the King's right of patronage and presentation to all vacant benefices; the profits of each vacant parish; the hiring of ministers; the payment to them in commodities, generally the worst and over-rated; the want of public places in Virginia to bury the dead, "insomuch that that profane custom of burying in their gardens, orchards, and other places still continues"; the authority of vestries; the defect in the execution of two Acts in Virginia, prohibiting the solemnization of marriages without a lawful minister, imposing punishment for fornication, and making the children illegitimate, and prohibiting the exercise of the ministerial function without ordination from some Bishop in England; and the want of care for the passage and other accommodations of ministers sent over. *Endorsed*, "Received from the Bishop of London, 17 July 1677, and read at the Committee. [*Col Papers, Vol. XLI., No.* 20, *and Col. Entry Bks., Vol. LII., p.* 27, *Vol. LXXX., p.* 150, *and Vol. XCVII., pp.* 47–49.]

July ? **338.** Answers to the preceding memorial [? in the handwriting of the Lord Bishop of London]. Desires that notice be given of all vacancies, and that none without orders be permitted to officiate; that profits of vacant parishes be laid out for repairs of the church, and for conveying over ministers to supply them; that ministers be constantly resident in their parish, and not permitted to hold more than one parish; that churchyards be allotted, and bounded in; that vestries be reformed, according to the use of England; that all marriages be solemnized by lawful ministers; and that some provision be always ready for transporting ministers. 1 *p.* [*Col. Papers, Vol. XLI., No.* 21.]

July 17. Whitehall. **339.** Journal of the Lords of Trade and Plantations. On consideration of the Order of Council requiring the Committee to take care for the raising recruits for St. Christopher's, their Lordships desire Mr. Secretary Coventry to deliver a warrant to Captain Rainsford for beating drums in order to raise 57 men for this purpose, which Mr. Secretary promised to do. Letter written to Mr. Cook to this effect, and a warrant issued accordingly.

My Lord Bishop of London presents a memorial of abuses crept into the churches of the Plantations containing nine articles, as follow:—1. That Governors keep parishes vacant, and commission persons to officiate without orders. Whereupon ordered that this abuse be represented to the Governors of the Plantations under His Majesty's immediate jurisdiction for redress. 2. That the profits of vacant parishes are converted by the people to their own use.

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This to be redressed by the Governors. 3. That ministers are hired for time. To be likewise remedied. 4. That the ministers are ill paid. The Governors in this particular to observe the laws of England. 5. That in Maryland and other places there is no settled maintenance for ministers at all. Upon which heading Lord Baltimore is called in, that he may propose a means for the support of a convenient number of ministers against Thursday (*see No.* 348), and it is further agreed that this defect ought to be supplied in all the Plantations remaining under propriety, and that letters be written accordingly. 6. That in Virginia there are no places allotted to bury the dead; which is to be signified to the Governor for redress. 7. That the vestry exercise a power over the ministry. Their Lordships will consider the law of Jamaica, which concerns the vestry in reference to the ministry. 8. That in Virginia the laws are not duly executed, prohibiting marriages to be solemnized without lawful ministers, and persons to exercise the ministry without proof that they are in orders. These laws are to be observed in every place. 9. That no care is taken for the passage of new ministers. It is thought fit that the Governors provide for the expense of transporting ministers and other charges out of the profits arising by the vacancies.

Several members of the Royal African Company attending upon summons, Sir Jonathan Atkins' letter of 13th May (*see ante, No.* 241) is read; ordered that copy be delivered to the Company for their answer in writing, with the proposals they think fit to make. Letter likewise written to Mr. Solicitor, enclosing copy of Governor Atkins' letter for his opinion whether negroes ought to be esteemed goods or commodities intended by the Acts of Trade, which provide that no commodities be imported or exported out of His Majesty's plantations, but in ships that belong to the people of England. Letters written accordingly. [*Col. Entry Bk., Vol. CV., pp.* 82–86.]

July 17. **340.** Warrant from the King to Sir John Robinson, knt. (Lieutenant of the Tower), or in his absence to Captain Francis Rainsford at the Tower, forthwith to cause drums to be beat about the City of London for raising 57 men for recruiting the two foot companies employed in the island of St. Christopher's. ½ *p.* [*Dom. Entry Bk., Chas. II., Vol. XXIX., p.* 214.]

July 17. **341.** Warrant from the King to the Commissioners of the Admiralty. That whereas His Majesty has given order for raising 57 men for recruiting the two Companies of Foot in St. Christopher's, they give orders for transporting them thither by the first opportunity. ½ *p.* [*Dom. Entry Bk., Chas. II., Vol. XXIX., p.* 214.]

[July 17.] **342.** Report of Lords Chief Justices Sir Richard Raynsford and Sir Francis North to the Lords of Trade and Plantations. Had appointed a day for the hearing of all parties according to their Lordships order and received such papers as they were pleased to deliver, at which time the Respondents (Massachusetts) disclaimed title to the land

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claimed by the Petitioners (Mason and Gorges); and it appeared that the said lands are in the possession of several persons not before the Lords Chief Justices, whereupon it was not thought fit to judge of any title without hearing the Tertenants or their agents, but to direct the parties to such course of justice as there might be on the place. Examined the parties' claims to the Government, and the petitioners having waived the pretence of a grant of Government from the Council at Plymouth, their own counsel convincing them that no such jurisdiction could be transferred by any course of law, the question was reduced to the Province of Maine, whereto the the Petitioner Gorges made his title by a grant from Charles I. in the 15th year of his reign to Sir Ferdinando Gorges and his heirs of the Province of Maine, and the government thereof. The Respondents answered that before, viz., in 4 Charles I., the government was granted to them, and produced copies of Letters Patent which recited a grant to certain persons from the Council of Plymouth; by said Letters Patent the King confirmed the grant, made them a corporation and gave them power to make laws. To this it was replied that the Patent of 4 Charles I. was invalid for the reasons set forth. Conceive that the patent of 4 Charles I. is good notwithstanding the grant of 18 James I., for it appeared by the recital in the patent of 4 Charles I. that the Plymouth Council had granted away all their interest in the lands the year before, and it must be presumed that they then deserted the Government, whereupon it was lawful and necessary for the King to establish a suitable frame of government as was done by the Patent of 4 Charles I., making the Adventurers a corporation upon the place. As to the second matter, it is clear that the grant extends no farther than the boundaries expressed in the Patent, which cannot be construed to extend farther than three miles north of the Merrimack. The north and south bounds of the lands granted so far as the rivers extend are to follow the course of the rivers, which make the breadth of the grant and the words describing the length to compehend all the lands from the Atlantic to the South Sea of all the breadth aforesaid do not warrant the over-reaching of these bounds by imaginary lines; the breadth was not intended an imaginary line laid upon the broadest part, but the breadth respecting the continuance of the boundaries by the rivers as far as they go, and when they stop to be carried on by imaginary lines to the South Sea. If Maine lies more northerly than three miles north of the Merrimack, the Patent of 4 Charles I. gives no right to govern there, and the Patent of 15 Charles I. is valid to the Petitioner Gorges. Are of opinion on the whole matter as to the power of Government that the Massachusetts and their successors by the Patent of 4 March, 4 Charles I., have such right of government as is granted by the patent within the boundaries therein expressed according to the exposition above made, and that the Petitioner Gorges his heirs and assigns by the Patent of 3 April, 15 Charles I., have such right of government as is granted by the Patent in this the Province of Maine according to the boundaries therein expressed. "Rec^{d} and read at Com^{tee}, 17 July 1677." *Two*

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papers. 3 *pp.* [*Col. Papers, Vol. XLI., Nos.* 22 *and* 23; *also Col. Entry Bk., Vol. LX., pp.* 213–218.]

July 17. **343.** Report of the Lords of Trade and Plantations to the King. Recite the preceding Report of the Lords Chief Justices with which they fully agree. *Signed* Anglesey, Ormond, Craven, Bath, H. London, J. Williamson, G. Carteret, Edward Seymour, and Thomas Chicheley. "Read in Council, 18 July 1677." 4 *pp.* [*Col. Papers, Vol. XLI., No.* 24; *also Col. Entry Bk., Vol. LX., pp.* 219, 220.]

July 17. Whitehall. **344.** Journal of Lords of Trade and Plantations. Reports of the Lords Chief Justices touching the pretensions of Mason and Gorges against the Government of Boston read and copies ordered to be given to the respective parties. [*Col. Entry Bk., Vol. CV., p.* 81.]

July 17. Council Chamber (Whitehall). **345.** William Blathwayt to Royal African Company [Mr. Roberts? Secretary]. Encloses copy of Sir Jonathan Atkins' letter (*see ante, No.* 241) by order of the Lords of Trade and Plantations, who desire the Company to take it into their consideration, and return their opinion in writing on Thursday next with such proposals as they may think fit to make. [*Col. Entry Bk., Vol. I., p.* 76.]

July 17. Council Chamber (Whitehall). **346.** Philip Lloyd to the Attorney-General [Sir William Jones] or the Solicitor-General [Sir Francis Winnington]. The Lords of Trade and Plantations desire to know their opinion whether negroes ought to be esteemed goods or commodities intended by the Acts of Trade and Navigation, which provide that no goods or commodities whatsoever shall be imported or exported out of any of His Majesty's plantations in other ships than such as belong to the people of England. *On same sheet:* Opinion of the Solicitor-General that negroes ought to be esteemed goods and commodities within the Acts of Trade and Navigation, and so it hath been admited upon debate before the Lords Committees of Plantations. 1677, July 24. [*Col. Papers, Vol. XLI., No.* 25, *and Col. Entry Bk., Vol. I., p.* 78.]

July 18. Jamaica. **347.** Newsletter of Sir Thomas Lynch. Five or six French and English privateers lately come to Jamaica from taking Sta Martha, Barnes being one and Coxon expected every hour. On board the Governor and the Bishop, and Captain Legarde has promised to put them on shore The plunder of the town was not great, money and broken plate about 20*l.* a man. To-morrow Captain Lynch, a Dutchman, of 25 guns, goes out of harbour, two Frenchmen wait for him, but he is resolved to fight them both. The Governor and the Bishop, that the town might not be burnt, agreed with them for the ransom, but instead of pieces of eight, the Governor of Carthagena sent 500 men by land and three vessels by sea, but the privateers fought them and killed about 50 in their first volley, the rest fled.

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July 23. Two days since, Coxon came in and surrendered and brought ashore the Bishop and a friar. His Lordship (Governor Vaughan) has taken care to lodge the Bishop well, "the good old man is exceedingly satisfied." Means taken by Governor Vaughan to procure the liberty of the Governor and others, but finding them (the privateers) all drunk, it was impossible to persuade them to do anything by fair means. Colonel Ballard and myself now going to see what we can do. The taking of Sta Martha was by surprise and at break of day, as most of their enterprises are The French came not near till the fort was taken and they out of danger of the great guns, so that Coxon and the English with him did all. The (Spanish) ships, perceiving the French colours set up on the castle and town, sailed away. So this great expedition ended, in which most of the warriors at Carthagena were engaged, and old Quintano, Admiral at sea. 4 *pp.* [*Col. Papers, Vol. XLI., No.* 26.]

July 19. **348.** Minutes of the Lords of Trade and Plantations. On reading a letter from the Archbishop of Canterbury to the Bishop of London [*see No.* 1005 *previous volume of Calendar*], Lord Baltimore presented a paper setting forth the present religion in Maryland. That for the encouragement of those willing to settle in Maryland a law was made giving toleration to all believing in Jesus Christ, nor should they be molested in respect of religion, and for many years this toleration and liberty has been known in the government of that province. That there are now four ministers of the Church of England residing there who have plantations of their own, and those who have not are maintained by voluntary contributions of their own persuasion, as others are of the Presbyterians, Independents, Anabaptists, Quakers, and Romish Church. That there are a sufficient number of churches and meeting-houses for the people there which are kept in good repair by voluntary contributions. That the laws are made by advice and consent of the freemen by their Delegates in Assembly, as well as by the Proprietors and Council. That three-fourths of the inhabitants are Presbyterians, Independents, Anabaptists, and Quakers, the rest being of the Church of England and Romish Church, so it would be most difficult to draw such persons to consent to a law to maintain ministers of a contrary persuasion to themselves, having by that act of religion an assurance of freedom in divine worship and no penalties or payments in that particular. That this same toleration is in Carolina, New Jersey, and Rhode island.

"Whereupon their Lordships sign a letter to Lord Baltimore as follows:"—Have received very credible information that many inhabitants of Maryland live very dissolute lives, committing notorious vices and profaning the Lord's Day. Hope there are sufficient laws to restrain and punish such evil lives and oblige men to live at least like Christians, though not of the same profession. If the laws be full enough, desire his Lordship to have them put in execution, or, if defective, to pass such new laws as the occasion requires. Have reason to believe this wicked kind of living proceeds from there being no certain established allowance

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for the ministers of the gospel, especially of the Protestant religion according to the Church of England, the cause of a great want of able ministers. Know how necessary it is to have this want supplied without imposing any burthen upon the inhabitants that they are willing freely to settle, therefore desire his Lordship to write to the Governor and Council of Maryland to send over an account of the number of Protestant ministers of the Church of England and their allowances, also of the number of Protestant families and the value of their plantations, and how many congregations they make up; also to inquire what each congregation will freely settle for the maintenance of an able minister, which, when agreed upon, to be enacted into a law as in His Majesty's other plantations. Would likewise be glad to have account of the number of ministers or teachers, of dissenters and their allowances, and of the number of the planters, their persuasions, and the number of each persuasion *Two papers. The first is endorsed,* "Rec^{d} from Lord Baltimore 19 July 1677 and read at the Committee"; *the second is endorsed,* "Letter to be sent to my Lord Baltimore, Governor of Maryland. Approved and delivered to my Lord Baltimore on 19 July 1677." [*Col. Papers, Vol. XLI., Nos.* 27, 28; *also Col. Entry Bk., Vol. LII., pp.* 31–35.]

July 19. **349.** Journal of Lords of Trade and Plantations. Letter read from a minister in Maryland (John Yeo) to Archbishop of Canterbury (*see No.* 1005 I. *previous volume of Calendar*). Whereupon Lord Baltimore is called in, who offers a paper. Their Lordships therefore agree to write to Lord Baltimore (*see preceding abstract*). After which the law of Maryland concerning religion, permitting liberty of conscience, and a free exercise of service to all persons and sects professing to believe in Jesus Christ.

Mem.—Their Lordships think fit that, when allowances are settled by law in Maryland and other parts, according to the abilities of the inhabitants, some means be found out here for the charitable supply of what shall be wanting for the subsistence of the ministers. Also the several Governors are to find out some further encouragement for them when they have been there some time, either by assigning them lands or otherwise.

The Bishop of London represents the ill-usage of ministers in the Plantations, and their too great subjection to the vestrymen, as particularly appeared by the law of Jamaica, entitled An Act for the better Maintenance of the Ministry, for remedy whereof their Lordships think fit that the ministers make a part of the vestry in the regulation of all matters except in the settlement of their maintenance.

Mem.—Ten Acts made in Maryland received from Lord Baltimore, and at same time delivered to his Lordship a letter from the Committee concerning religion and orderly living in that colony. [*Col. Entry Bk., Vol. CV., pp.* 87–89, *and pp.* 92–93.]

July 19. Whitehall. **350.** Journal of Lords of Trade and Plantations. Mr. Randolph called in, and after informing their Lordships that the New England Government had settled several Custom-houses without

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any authority from His Majesty withdrew. Whereupon the agents of New England are called in and examined upon the representations of Mr. Randolph, with the exception of the first article concerning the charter and other points. And their Lordships report upon the whole matter to His Majesty (*see next entry*). [*Col. Entry Bk., No. CV., pp.* 89, 90.]

July 19. **351.** Report of Lords of Trade and Plantations [through the Lord Privy Seal] to the King. The Massachusetts agents declared that they had no other instructions than to answer the particular claims of Mason and Gorges, and were not capacitated to satisfy their Lordships on any other questions otherwise than as private men and His Majesty's subjects. As to the opposition to the King's Commissioners in 1665, and the turning out of Justices of the Peace settled by His Majesty's authority, they answered that they knew nothing of any act of violence, and could only remember that some alteration did at that time happen in the Province of Maine without any violence or hostility. They had seen Whalley and Goffe in those parts, but on His Majesty's proclamation warrants were immediately issued out against them and persons commissioned to pursue them, notwithstanding which they made their escape. They acknowledge His Majesty to be their sovereign, and submit to his authority; they never proclaimed or acknowledged the late usurping powers, but conformed themselves to the rules of their charter, and are willing to take the Oaths of Allegiance and Supremacy in terminis, as is prescribed by their charter. They confess the charge of coining money, having been necessitated to it about 1652 for the support of their trade, and have not yet discontinued it, it being never excepted against, and submit this matter to His Majesty and beg pardon if they have offended. They deny putting any persons to death for matters of religion only, but there being a law that no Quakers, being strangers, should come into their Government, some did transgress it notwithstanding banishment, and were therefore executed; there are now many Quakers living among them. As to the violation of the Navigation Acts, there are perhaps some private persons who trade indirectly not having understood them, but the Governor is obliged to take bonds to hinder it, and will submit to His Majesty's orders therein. The law against Christmas was made in the late troubles, but not to their knowledge put in execution; they confess that they collect small customs on imports for the support of the Government. 2 *pp.* [*Col. Papers, Vol. XLI., No.* 29; *and Col. Entry Bks., Vol. LX., p.* 223, *and Vol. CV., pp.* 90–92.]

352. "The case of the Governor and Company of the Massachusetts Colony in New England." The three patents are recited, and the report of the Lords Chief Justices on the claims of Mason and Gorges. The report excluded from the Massachusetts Government the four towns of Dover, Portsmouth, Exeter, and Hampton, parcel of Mason's claim. Not long after the Lord Chancellor informed the agents of the Massachussetts Company that

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the King would pardon them for coining and other offences, and grant them a license for coining in the future. The news of this brought great joy into the colony, but the inhabitants of those four towns, finding themselves excluded from the Massachusetts Government, and that Mason had no right to govern them and so were under no government, petitioned the King to continue them under the Massachusetts Government by whom they have been peaceably governed for the last 40 years. Hereupon the agents besought the King for a grant of the government of the four towns, because the inhabitants desire it, because the Government is vested in the King, because a government there is absolutely necessary for the prevention of distraction and violence, and that no other government can so conveniently protect them, the Company being content that there should be a saving to Mason or any other's right. This petition being referred to the Lords of Trade and Plantations, where it now depends, a petition is put in against the grant by Mason and Gorges, but Gorges on examination disowns the petition. The agents, having spent 15 months in England, and the season of the year and their private affairs calling them home, pray a hearing before the Committee and a grant of the matter petitioned for, not doubting but at their return home to give a testimony of the duty of the Massachusetts Company, who are now resolved to give an entire obedience to the Trade and Navigation Acts and to continue loyal to the King. 3 *pp.* [*Col. Papers, Vol. XLI., No.* 30.]

July 20. **353.** Order of the King in Council. The Lords of Trade and Plantations having presented a report on the matters of controversy concerning Massachusetts, and having on the 18th instant ordered the agents of the Massachusetts and Mason and Gorges to attend if they had objections to make, who not alleging anything material to prevail with His Majesty and the Board, the report was confirmed and all parties ordered to acquiesce therein. 2 *pp.* [*Col. Entry Bk., Vol. LX., p.* 221.]

July 20. **354.** Order of the King in Council. The Massachusetts agents having offered in writing their answers to the objections against the Massachusetts corporation, they are referred to the Lords of Trade and Plantations to meet next Thursday, and on every Thursday till they have brought the business to maturity. 2 *pp. Annexed,*

354. I. The answer of the agents of the Massachusetts referred to, *ante* No. 351. Premise that being sent over to answer Mason and Gorges' petitions they come only prepared for that, but as regards other things they answer as private persons according to their best judgment. (1.) The oath of allegiance: Is according to the substance thereof taken by all magistrates, freemen, and those who take the oath of fidelity though not in the form enjoined by law in England; know of no objection against that form if it is required. (2.) The protection of the Regicides: On

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the coming over of the King's declaration of 6th June 1660 warrants were issued for the seizure of Goffe and Whalley, who, conveying themselves away, were followed by messengers of good repute for fidelity to the King; these strictly pursued them through their colony into the neighbour colonies, and were rewarded for their pains though not able to overtake them. (3). The coining of money: About 1652, the necessity of the country calling for it in support of commerce, they began to coin silver money to pass current in their own colony and not to be exported, which money they have continued to coin, no prohibition having been received from the King, for which they implore the King's pardon, and beg that the privilege being of prejudice to none yet extremely useful to the colony may be continued under what impress the King pleases. (4.) Putting to death for opinion in religion: Some time before the King's restoration some quakers were put to death, but not for their opinion in religion only but because being strangers and turbulent seducers in opposition to the laws in that case established they did after conviction and banishment wilfully force themselves in again, but for the time to come they suppose no capital punishment will in such case be inflicted. (5.) Opposition to the King's Commissioners in 1665 and forcible expulsion of Justices of the Peace in 1668: Cannot give a particular account of the reception of the King's Commissioners as they were not then concerned in the government, but know that many public respects were paid them; acknowledge that after their departure there was an alteration in civil government in Maine which was with the desire and consent of the generality of the inhabitants and not in any hostile manner; several of the Justices themselves from a consciousness of their own unfitness for the charge and the small effect it had urged that change. (6.) Oath of Fidelity to the Government: An oath of fidelity is required to the King's government by charter there established wherein the oath of allegiance is comprised, there being no fidelity required inconsistent with allegiance to the King. (7.) Violation of the Act of Trade and Plantations: These acts have not been observed strictly by some merchants but the damage to the King is very inconsiderable compared with what is reported, and there is no doubt that on due consideration of the matter the Massachusetts Government will apply themselves to their duty in this; hope that the King will experience their managery before any other be employed therein. (8.) Collection of customs &c.: Goods exported pay no duty, but there are some small customs on goods imported which with the excise on taverns, alehouses, and the beaver trade, could never be farmed at above 700*l.*, which was thought necessary

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for the support of Government and the ease of the Planters on whom otherwise the burthen would have been disproportionable. (9.) Making laws repugnant to the laws of England: Acknowledge that they have only power to make laws not contrary to the laws of England and will take care there be no other. *Endorsed*, "Read in Council July 20th 1677." 4 *pp.* [*Col. Papers, Vol. XLI., No.* 31; *also Col. Entry Bk., Vol. LX., pp.* 226–227.]

355. Memoranda concerning New England. Charles I., by letters patent dated 4th March in the 4th year of his reign created the Governor and Company of Massachusetts Bay, a body corporate, to have power to purchase and dispose of lands, to elect freemen of the Company, to appoint those to direct its affairs, to make laws for the welfare of the plantations and people, so as such laws were not repugnant to the laws of England, to settle the forms of government, to name officers, to set forth their duties and the forms of oaths to be administered to them, to impose lawful fines and imprisoment or other correction according to the courts of corporations in England, and to dispose other matters whereby the people may be peaceably, civilly, and religiously governed, and the natives be won to the knowledge of God, which was declared to be the principal end of the intended plantation. The oaths of allegiance and supremacy were also recommended to the Company. It may be seen from a book of the laws and liberties of the Massachusetts, printed at Cambridge in New England, 1672, by order of the General Court of Boston, how the Company, being a mere corporation restrained by their charter to act according to the Court of Corporations in England, has yet taken upon itself to act contrary to the laws of England. (1). That no man's life should be taken away nor good name stained nor person arrested nor deprived of wife or children or goods unless by virtue of some express law of the country established by a General Court and sufficiently published, or in defect of a law by the word of God. *Qu.* Whether the charter gives power to make such absolute laws or any law extending to life, member, or banishment. (2.) That the General Court consisting of Magistrates and Deputies is the chief power of the Commonwealth which only has power to raise taxes, dispose of lands, confirm proprieties, and may act according to this power in matters of judicature, making of laws, impeaching, sentencing, receiving, and hearing complaints. *Qu.* Whether the charter gives power to raise taxes or make such absolute laws as if it were a commonwealth. (3.) That any man conspiring or attempting an invasion or insurrection or the subversion of the government be put to death. *Qu.* Whether this does not show how they forget that they are only a corporation without power to put to death. (4.) That a mint be erected at Boston with liberty to bring thither bullion, plate, or Spanish coins to be coined into 12*d.*, 6*d.*, and 3*d.* pieces, with the inscription Massachusetts and a tree on one side, New England, the year of our Lord, and the figure XII, VI, III, according to the value of the piece,

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Qu. Whether treason be not here committed, the Corporation dissolved and charter foreited. (5.) That no person shall join persons in marriage but the magistrate or such other as the General Court or Court of Assistants may authorise when no magistrate is near, and that no one shall marry except before such magistrate or person. *Qu.* Whether this law be not repugnant to the laws of England, as marriage is of ecclesiastical jurisdiction, and should be performed by the priest, and loyalty of matrimony ought to be certified by the bishop. (6.) That persons excommunicated or condemned have power to dispose of their estates. *Qu.* Whether the Charter gives power to excommunicate or condemn, and if it does, whether the law is not repugnant to the law of England. *Qu.* Whether several laws be not repugnant to the laws of England and above the power given by the Charter, *e.g.*, to put to death for adultery, to deliver a stubborn and rebellious son to the magistrates to be put to death. *5 pp.* [*Col. Papers, Vol. XLI., No.* 32.]

356. An abridgement of part of the Massachusetts Charter, showing them a Corporation of England to reside in England. James I., by letters patent dated 10th April, in the fourth year of his reign, granted to Sir Thomas Gates, Sir George Somers, knts., and others, liberty to divide themselves into two colonies in the parts of America between 34° and 45°, the first colony to be undertaken by gentlemen and merchants of London, the second by gentlemen and merchants of Plymouth. King James, 3rd November, in the eighteenth year of his reign, established that the continent in America lying between 40° and 48° N. lat. from sea to sea should be the limits of the second colony, and be called New England in America, and established a Corporation of 40 persons under the name of the Plymouth Council, for planting, &c., New England. Further, the Duke of Lennox, Marquis of Buckingham, and others, to the number of 40, were confirmed the first Council, with power to purchase lands, to sue and be sued, &c., and the Council was empowered to grant liberty of traffic to New England and possession of lands, and to make laws, &c., so long as they were not repugnant to the laws of England. This Council, 19th March, in the third year of Charles I., in an indenture reciting how the Continent was granted to be held by them, paying only to the King the fifth part of the gold and silver ore, granted to Sir Henry Rosewell, Sir John Young, knts., Thomas Southcot, &c., all that part of New England within certain mentioned limits, to be holden of the King as they had held it. Sir Henry Rosewell and the others obtained from the King, 4th March, in the fourth year of his reign, a confirmation of this grant, in which they were constituted a Corporation by the name of the Governor and Company of Massachusetts Bay, with power to purchase and alien lands to choose a Governor, Deputy Governor, and 18 Assistants for the government of the plantation. Matthew Cradock was nominated first Governor, and Thomas Goffe Deputy Governor; 18 Assistants were chosen: the Governor to have the power of assembling the Company and to hold a Court once a month, the Governor or Deputy Governor and seven Assistants to

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be a sufficient Court, and on the last Wednesday in Easter, Trinity, Hilary, and Michaelmas Terms one great general assembly to elect freemen, appoint officers, make laws, &c.; the Governor and Assistants to be chosen yearly on the last Wednesday in Easter Term. The Governor and Company to have liberty to export persons willing to live there; all persons born in New England or on the passage by sea to have the immunities of natural subjects. On the whole matter foregoing it appears that the Plymouth Council was incorporated in England to be resident there, and that the Massachusetts Company was also intended to be resident in England, to hold their Courts there, and not to have liberty to export themselves beyond the seas, and the Governor and Company were empowered to delegate their authority to their officers resident in New England. It appears also from the docket that the Governor and Company were created a Corporation to have residence in England like other corporations of England. 11 *pp.* [*Col. Papers, Vol. XLI., No.* 33.]

357. Narrative of the State of New England. The English plantation in America called New England cannot subsist without a General Governor, for their petty governments, independent in all respects, occasion differences that cannot be decided, as there is no Court of Appeal, every colony having absolute authority with different laws and judicature. These separate governments (six in number from New Jersey south to Duke's Province north) are not able to defend themselves, much less make an attempt on an enemy, whereas, united under one chief and with the militia under loyal and good officers, the whole plantation would be in a ready posture to defend itself (now an easy prey to every invader) and prove very serviceable in case of a difference with France, especially in sea affairs. The place abounds everywhere with good ports, all kinds of victual, many able shipwrights, thousands of stout braw fellows for sea and land service, with timber, pitch, tar, and cordage, so that the King's ships might be refitted there with expense of little time. Some object to the difficulty and hazard that the inhabitants are all or almost of phannatick (*sic*) principles, that their patents will be destroyed, that it will be an expenseful undertaking, a continual charge, and no advantage. It is answered that the inhabitants have been misrepresented by a factious party, being generally desirous to be under the King's government. Was in four of their colonies and made it his business thoroughly to understand their inclinations, and found that from the minister to the common people they all longed to have the King's authority established. But before his coming away the Boston Government (aiming by all methods at the general government of all New England, and thinking to alien the people's affections by misrepresenting the King) gave out that the King intended to send over some beggarly courtier to be their Governor, who would raise 20,000*l.* a year to maintain himself and his followers and set up episcopacy. Hence the petitions to be continued under the Boston government, signed by those who had declared their dislike to him in private conference. But a declaration of sending over a General

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Governor with the royal pardon, confirmation of lands to the legal proprietors, and liberty of conscience in matters of religion, will expel all jealousy and fear and make a happy reception to whomsoever the King shall recommend that trust. Their charters will remain undisturbed, every corporation will enjoy their privileges by virtue of the first charter granted to several of the nobility to dispose of the lands in America; they had a power to establish one General Governor, which power, on the surrender of the charter, was reinvested in the late King, who appointed Sir Ferdinando Gorges, but he was prevented by the wars from going over. Money will be wanted for setting out a Governor, but the existing customs and duties with some small appendants will honourably contribute to his support. Great advantages will arise to the Crown, the composure of the minds of the neighbours who have attempted to set up for themselves, the presence of a discreet gentleman will confirm the country in true obedience, the King's authority and commands will be observed. The whole country will have a pledge of the King's fatherly care that cannot be expected from the Boston Government, that is hated for aspiring to the dominion of the whole plantation on which depends the security of the English West Indies. 3 *pp.* [*Col. Papers, Vol. XLI., No.* 34]

358. Objections against the Massachusetts Charter. James I. by letters patent, 3rd November, 18th year of his reign, created the Council of Plymouth, and granted to them, their successors and assigns for ever, all the land in America now called New England, to be held as of the manor of East Greenwich, and granted full and absolute power of government, and that no one should inhabit within the said territory without the license of the Council. Objections to the Massachusetts Charter of 4 Charles I.: (1.) The grant of lands pretended by the Massachusetts from the Council of Plymouth, 19th March, 3 Charles I., to Sir Henry Rosewell and five other persons never took place. (2.) These lands were long before granted by the Plymouth Council to Lord Gorges, Mason, and others. (3.) The patent of 4 Charles I. was only a confirmation of the pretended grant, and was not inntended to operate as a new grant. (4.) The King by his patent of 4 Charles I. grants no lands to the Corporation of Massachusetts Bay, but only confirms lands pretended to be granted to certain persons in their private capacities. (5.) King Charles could not grant any lands or government in New England during the continuance of the Plymouth Council. (6.) All the powers granted to the Massachusetts, 4 Charles I., were vested in the Council of Plymouth, and so continued long after 4 Charles I. (7.) At the time of the patent of 4 Charles I. the jurisdiction and government remained with the Council of Plymouth. (8.) The Council of Plymouth did not divest themselves of these powers till 11 Charles I., when they surrendered their Charter to the King. (9.) The Massachusetts patent of 4 Charles I. cannot begin to be valid after this surrender

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in 11 Charles I. Proceedings of Charles I. against the Massachusetts: On many complaints of the horrid violence committed by the Massachusetts the King commanded the Council of Plymouth to give him an account of what people they were, and finding that a grant had been surreptitiously obtained under the great seal, a Quo Warranto was brought (11 Charles I.) against all the members named in the patent of 4 Charles I. The Governor, Deputy-Governor, and major part disclaimed the Charter, the rest were outlawed, and judgment was given that the liberties of the Massachusetts Corporation should be seized into the King's hands, and the Governor Matthew Cradock be taken into custody, whereby the King determined his grant of 4 Charles I.; not above five persons named in the patent even inhabited in New England. An Order in Council was directed to the Attorney-General to bring in the Charter to the Council Board, and it is supposed it was brought in and cancelled. The wars immediately ensuing in Scotland and England there was no more done, only Sir Ferdinando Gorges was constituted General Governor over New England, but the rebellion stopped his going over, he serving the King in his wars in England. Crimes committed and powers usurped by the Massachusetts: (1.) Erection of a public mint and coining of money with their impress. (2.) Putting to death for matters in religion and otherwise. (3.) Making laws repugnant to the laws of England. They had invaded the neighbouring colonies and forced them to submit. (5.) Levied taxes, &c., by their own authority. (6.) Denied the inhabitants the exercise of the religion established in England. (7.) Denied appeals to England. (8.) Violated the Acts of Trade and Navigation and all other His Majesty's laws. (9.) Declared themselves a commonwealth and acted accordingly. (10.) Protected Goffe and Whalley, the late King's murderers, although demanded to be delivered up. (11.) Opposed by force the King's Commissioners in 1665, and without the limits of their patent. (12.) Turned out by force the King's Justices of the Peace in 1668. (13.) Have not taken nor do administer the oaths of allegiance and supremacy as commanded in their patent. (14.) Have enforced an oath of fidelity to be taken to their government by both inhabitants and strangers. (15.) Have granted commissions in their own name. (16.) Deny baptism to children of those not in church fellowship. (17.) Have fined people for not coming to their meeting-houses, and whipped others for not paying the fines. (18.) Have forbid, under a penalty, the observation of Christmas Day, and other festivals of the Church. (19.) Impose a duty on all shipping not built within their jurisdiction. (20.) Have altered the number of their assistants from 18 to 10. (21.) Have changed the days of their General Courts, and contracted the number from four to two yearly. (22.) Have erected and annexed the Court of Deputies to make laws. (23.) Pretend to an absolute authority. (24.) Alone pay no acknowledgment and own no service to the Crown. 3 *p.* [*Col. Papers, Vol. XLI., No.* 35.]

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359. Brief of the prosecution against the Massachusetts Charter. Sir John Banks, knight, Attorney-General, in Trinity Term, 11 Charles I., prosecuted in the King's Bench, Westminster, Sir Henry Rosewell, Sir John Young, knights, and others mentioned in the charter of 4 Charles I., Freemen of the Company of Massachusetts Bay, for having claimed and used the liberties, &c., therein granted without warrant as to be a body politic by the name of Governor and Company of Massachusetts Bay. That amongst other things, they had used to have one Council in England and another in Massachusetts Bay, to call assemblies of their Company, to make laws concerning the property of the freemen and others being in their plantation, to imprison and fine those who refused obedience, and to levy fines for their own use; to export out of England any manner of persons and to rule and govern in their passage and upon their plantation. That they claimed authority to export all manner of goods prohibited by the laws of England, to export all manner of arms and stores without paying any customs to the King, to exact from all trading to their plantation not of their Company sums of money, to imprison those who refused, to have the sole allowance of goods to be brought out of their plantation, to prohibit all persons not free of their Company to transport goods out of England to them, to impose fines on and imprison persons trading to them with merchandise, to use military force when they pleased, to examine without oath any persons they pleased in any matter and to proceed to trial, sentence and execution concerning life and member, lands, &c., against the statutes of England and in contempt of the King's prerogative. Thereupon final judgment was obtained against the Company in default of answer, that their liberties should be seized to the King, and that Matthew Cradock should forbear any further meddling therein and that his body should be taken and imprisoned. 3 *pp.* [*Col. Papers, Vol. XLI., No.* 36.]

July 20. **360.** Order of the King in Council. His Majesty having by Letters Patent of 8th July 1675 appointed Thomas Lord Culpeper, Governor of Virginia, to take effect after the death or surrender of Sir W. Berkeley then Governor there, and Lord Culpeper attending was commanded to take the oaths which he did accordingly. [*Col. Entry Bk., Vol. LXXX., p.* 150.]

July 20. **361.** Petition of Merchants and Traders to your Majesty's most flourishing island of Jamaica and the Western Plantations to the King and Privy Council. That the Governor of Havanna has fitted forth several vessels which have seized English ships and robbed them and interrupted the whole navigation and fishery declaring all ships good prize that had anything on board of the "growth of the Indies although sugars growing in Jamaica." That there are hundreds of His Majesty's subjects, besides those sent to the galleys and mines, slaves at the Havanna in a much worse condition than the slaves in Turkey. Pray His Majesty to give such orders that petitioners may be encouraged to continue their

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traffic and have security from the hostilities of the Spaniards "Read in Council 20 July 1677." [*Col. Papers Vol. XLI., No.* 37.]

[July 20.] **362.** Petition of Martin Stamp to the King and Council. Sets forth the robbing, torturing, and murdering of petitioner's brother, Timothy Stamp, by the Spaniards, and prays for letters of reprisal to reimburse himself for losses and damages amounting to 5,000*l.* *There are previous petitions and papers of Martin Stamp abstracted in the previous volume of this Calendar, Nos.* 642, 687. [*Col. Papers, Vol. XLI., No.* 38.]

July $\frac{20}{30}$. Barbadoes. **363.** Governor Sir Jonathan Atkins to Lords of Trade and Plantations. All things well and peaceable with seasonable expectation of a good crop and great plenty of all ground provisions. Can give little account of the French since their last engagement with the Dutch at Tobago, who are there in great misery by sickness and want of provisions, and would have been starved if not relieved from hence and if not speedily relieved from Holland that will be their fate yet. Their plantation at Surinam not in much better condition; supplied the Governor's garrison last week with provisions, which is surely a poor one. Much joy and thankfulness of the people to His Majesty on the arrival of the Constant Warwick. "Rec. 21 Sept." [*Col. Papers, Vol. XLI., No.* 39, *and Col. Entry Bk., Vol. VI., pp.* 184–185.]

July 23. Jamaica. **364.** Governor Lord Vaughan to Secretary Sir Joseph Williamson. Refers to his previous letter of 14th May (*see ante, No.* 243) about his seizure of negroes piratically taken, that they have been condemned in the Admiralty and sold in pursuance of the sentence. Has since understood that Governor Douncker of Curaçao and two merchants there are the owners, so has written to the Governor if he will send sufficient procuration hither the agents shall immediately receive their effects. Has given this account "that you might satisfy the Dutch Ministers in the justice of this government and what extraordinary care I have taken to do full right to His Majesty's allies." 1 *p.* [*Col. Papers, Vol. XLI., No.* 40.]

July 23. **365.** Journal of the Assembly of Jamaica. Voted that members absent who could not make satisfactory excuse to the House be fined twenty shillings.

July 24. "Captain James Browne and the depositions thereupon read," and because the business is of that consequence that it ought maturely to be considered, Committee sent to acquaint the Governor that Captain Browne had petitioned the House to have the benefit of the Act of Privateers and that they were informed he was to be executed to-morrow, wherefore the House desired he might be reprieved until Tuesday that they might have time to confer whether his business comes within the Act. The Gentlemen on their return reported the Governor could not be spoken to. Mr. Scroop called upon to give his account of Benjamin Whitecombe's estate; proceedings on

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Scroop's report; Act to be drawn for the sale of said estate for payment of deceased debts. Debate on Captain Browne's business and Committee again sent to the Governor about reprieving him. The Governor's written answer, that he has pardoned eight of those criminals who by verdict of jury were sentenced to death, but cannot in justice think Captain Browne a fit object of mercy and believes that hindering the sentence of execution will be of evil example and bad consequence. Voted that a further written address be sent to the Governor in which the Assembly urge that if this execution take place all our privateers which are out may think this Act a snare and possibly make those already in go out again as they do not enjoy the security they expected and so become most dangerous enemies and they desire a few days reprieve for Browne. Reply of the Governor that he had already given his mind in writing and did not share their fear of discouraging other privateers for the reasons stated.

July 25. Report on the late rebellion of Negroes to be brought in. Voted that there be further examination of Captain Browne's trial.

July 26. Petition of Captain Browne read, that when he claimed the benefit of the Act no notice was taken by the Court, but he was condemned and his writ of execution signed. Voted that the warrant for the execution of Captain Browne be suspended. Warrant from the House to the Provost-Marshal commanding him in His Majesty's name to forbear the execution of Captain Browne notwithstanding any warrant issued as he shall answer the same at his peril. The Speaker and Assembly sent for to attend the Governor who signed several Acts and then dissolved the House. [*Col. Entry Bk., Vol. XXXVII., pp.* 180–182.]

[July 24.] **366.** Reasons to prove the Massachusetts Patent of 4 Charles I. void in point of law, both as to land and government. As to land: (1) the grant of lands pretended from the Council of Plymouth, 19th March, 3 Charles I., is merely fictitious; (2) the Massachusetts cannot produce the grant or any record thereof; (3) the lands pretended to be granted were long before sold to John Mason and others; (4) the patent of 4 Charles I. intended only a confirmation and, there being no grant from the Council of Plymouth, the King was deceived; (5) the King grants no lands to the Massachusetts Corporation but only confirms the lands (pretended to be granted) unto certain persons, so that as a corporation they cannot pretend to any land; (6) the King could not grant any lands in any part of New England within the patent of the Plymouth Council during their lawful continuance. As to government: (1) the patent of incorporation was grounded on a supposed grant of lands, there being no such grant it is void; (2) all the powers granted to Massachusetts 4 Charles I. were absolutely vested in the Plymouth Council 18 James I., nor can both grants stand together, and therefore the first shall take place; (3) at the time of the patent 4 Charles I. all New England was under the government of the Plymouth Council, which did not divest itself of the power of government till 11 Charles I. when a solemn surrender of the charter

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was made into the hands of the King; (4) the Massachusetts patent cannot begin to be valid after the surrender of the charter of the Plymouth Council, for Quod ab initio non valet, tractu temporis non convalescit; (5) Charles I. in the 11th year of his reign caused a Quo Warranto to be brought against the members named in the patent, whereof the major part appeared at the King's Bench Bar and disclaimed the charter, the rest were outlawed and judgment given that the liberties of the Corporation be seized into the King's hands, and the body of Mathew Cradock (the nominal Governor) be taken into custody for usurping these liberties, whereby the King determined and made void his own grant. "Rec^{d} 24th July 1677 from Mr. Mason." *Two copies.* 2 *pp.* [*Col. Papers, Vol. XLI., Nos.* 41–42.]

July 24. **367.** "A list of [Thirty] Acts passed at the General Assembly in Maryland, March 1638. Received from the Lord Baltimore the 24th day of July 1677." *N.B.—The earliest Acts abstracted in the first Volume of this Calendar, page* 316, *are dated in* 1640. Also the titles of eight other Acts and of ten Acts passed 3rd May 1682. 4 *pp.* [*Col. Papers, Vol. XLI., No.* 43.]

July 25. **368.** Minutes of the Council of Jamaica. Ordered that a Proclamation be issued for full and ample satisfaction to all who have been or are out in any Foreign Prince or State's service, particularly as many of the Captain's names as can be thought of to be drawn by five of the Council. Ordered that the respective captains and masters of vessels that shall arrive in this island claiming the benefit of the Act for serving under any Foreign Prince, give within three days of his arrival the names of such persons as they bring in their vessels, and that the Secretary make entry in a book to be kept at his office. Proceedings on various Bills.

July 26. Speech of the Governor to the Speaker and Assembly dissolving the Assembly.

July 27. Relation by the Governor of his proceedings in reference to Captain Browne who took upon the coast of Carthagena a Dutch vessel with near 200 negroes aboard. The Treasurer's account from September 1676 to April 1677. The Governor communicated to the Assembly that he would order writs to issue out immediately for the next Assembly that they might meet on 6th September. Petition of John Purseley to the Governor and Council, that he was shot in the shoulder in the King's service against the enemy and is disabled from working, prays for relief for his maintenance, referred to Dr. Richard Herne to examine petitioner's wound, and in the meantime to be allowed 5*l.* sterling more. Order about levying executions and selling goods and chattels on writs. [*Col. Entry Bk., Vol. XXXV., pp.* 603–613.]

[July 26.] **369.** The Royal African Company to Lords of Trade and Plantations. Have received copy of Sir Jonathan Atkins letter (*see ante, No.* **241**), and offer as their opinion that permitting Spanish ships to come to His Majesty's plantations to buy negroes will be of great advantage to all His Majesty's subjects, especially

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those inhabiting in and trading to His Majesty's Plantations as also to the Royal African Company, in order thereto that they may have free liberty to buy negroes of the Company, and of whom they please and receive all due encouragement from the respective Governors. "Rec. 26 July. Read 8 Nov." [*Col. Papers, Vol. XLI., No.* 44, *and Col. Entry Bk., Vol. I., pp.* 76–77.]

July 26. **370.** [Sir Robert Southwell] to Sir John Werden, Secretary to the Duke of York. The Lords of Trade and Plantations having been acquainted by Colonel Stapleton, Governor of the Leeward Isles, of the great inconvenience to His Majesty's service in those parts for want of a Commission to him from His Royal Highness to be his Vice-Admiral throughout his government, request that a Commission may be granted to Governor Stapleton. *Encloses,*

370. 1. Reasons for a Commission of Admiralty. [*Col. Entry Bk., Vol. XLVI., pp.* 227–230.]

July 27. Whitehall. **371.** Journal of Lords of Trade and Plantations. Their Lordships debate the business of New England, and the necessity of bringing those people under a more palpable declaration of their obedience to His Majesty, and that they may be of use to him in times of necessity, which hath hitherto remained too long undecided. Therefore, having agreed on several heads, the agents are called in and told:—(1) That their mathematical line, whereby they pretended to extend the limits of their patent, was an imaginary thing and no longer to be thought upon by them, but to confine themselves to the limits lately reported by the Judges; (2) As to the propriety of the soil in Maine, if they will not agree to the pretensions of the claimers, it shall not be left to their will, but His Majesty will constitute some third authority to determine therein according to justice; they were advised to retract their rash declaration of abandoning Maine, if their authority to govern it were set by, as it was part of His Majesty's dominions, and ought not by any of his subjects to be abandoned to his enemies; (3) That they had transgressed in presuming to coin money, which is an act of sovereignty; that though His Majesty may upon application grant them a charter containing such a power, yet they must solicit his pardon for the offence that is past; (4) The Act of Navigation must for the future be religiously observed; (5) That there were great defects in some of their laws, and they must expect change, and to this effect it was recommended to His Majesty's Counsel to point out such as should need amendment; (6) That although they might think their attendance here long, it was necessary and perhaps useful to themselves, and although they might not be qualified with power sufficient to authorize them in all these matters, they were to know that His Majesty did not think of treating with his own subjects as with foreigners and to expect the formality of powers, but having resolved to do all things that were fit for them and consistent with his own service, they might from time to time intimate the same to their principals, and give their attendance on Thursday next. The agents excuse

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the mistake of that rash expression about abandoning the defence of Maine; their principals had done otherwise, and should still think themselves obliged to continue in case of danger; they excuse their want of sufficient powers, but are ready to obey in all things that in them lies. Their Lordships tell them that His Majesty will not destroy their charter, but rather by a supplemental one set all things right that are now amiss, and their charter of 4 Car. I. should be inspected, and, according as they administered the power therein given, so should they be measured and considered. The charter ordered to be sent to Mr. Attorney and Mr. Solicitor, to examine whether the authority of the Crown be sufficiently preserved, as it may be more advisable to measure their behaviour according to the rule of the charter than wholly to overthrow it by what Mr. Mason alleges sufficient for that effect. That it be observed how far their power extends of making laws and levying taxes, especially on imports and exports; their Lordships think that no laws of this kind should pass without receiving His Majesty's approbation, and no taxes be raised but in His Majesty's name and by His Majesty's appointment to the uses of the government, and that their method of swearing all to be true to that government be abolished.

Mr. Secretary Williamson acquainted their Lordships that Virginia was still in a very unsettled condition, so that their Lordships appointed the Lord Culpeper and Colonel Parks to attend on Thursday next, and that the papers relating hereunto be laid before their Lordships, to determine upon all the points of difficulty that therein occur. [*Col. Entry Bk., Vol. CV., pp.* 95–98.]

[July 27.] **372.** Representation of the Commissary of the Dutch West India Company to the King. That Captain James Browne piratically took the ship Sun on the coast of Carthagena, and 200 negroes belonging to said Company, and landed them at Jamaica, which the Governor seized, and were by the Judge Admiral ordered to be sold and the proceeds secured to the rightful owners. Having proved the right of the Dutch West India Company, prays the proceeds may be assigned to Sir Thomas Modyford, acting by virtue of procuration for said Company. With Minute of Council held at St. Jago de la Vega, 1677, July 27. *Endorsed,* "Rec. Jan. 22 and read in Council Jan. 24, 1679. 3 *pp.* [*Col. Papers, Vol. XLI., No.* 45.]

373. Abstract of the laws in Massachusetts relating to assessments, customs, excise, and militia. Every inhabitant to be compelled to contribute to all charges in church and commonwealth by assessment and distress; lands to be rated where they lie, persons where they dwell. All persons, except magistrates and elders of churches, to be rated at 1*s.* 8*d.* the head, and all estates, both real and personal, at 1*d.* every 20*s.*, the estates of merchants, shopkeepers, factors, &c., to be assessed by rule of estimation at the will and doom of the assessors; if they can make it appear

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that they are over-valued, they may be eased by the assessors, otherwise by the next county court; houses and lands to be valued at an indifferent rate in places where they lie; cattle to be valued thus, every bull and cow of four years old and upward at 3*l.*, every ox of like age at 5*l.*, heifers and steers between three and four years old at 50*s.*, and between two and three at 40*s.*, every horse and mare of three years old and upwards at 5*l.*, between two and three at 3*l.*, and between one and two at 20*s.*, ewes and heifers of one year at 10*s.*, goats at 8*s.*, swine at 20*s.*, and asses at 40*s.*; all cattle under a year old are exempted, as also all corn and hay in the husbandman's hands, because the lands and cattle are rateable as aforesaid; important persons are exempted from paying the poll; the Commissioners to perfect the assessments in the first week of the seventh month at the respective shire towns, and to transmit copies to the Treasurer, to make warrants to the constables to collect and levy the same by the twentieth day of the ninth month yearly; strangers to be rated according to the cargoes they bring into the country, and in case of refusal to give a true account of their estates, the select men are empowered to assess them in proportion to a single rate by will and doom as inhabitants of the country are rated; the ministers of God's word regularly ordained over any church to be free of all rates and taxes. Customs: All persons importing wine or strong waters (except directly from England as their first port) to make just entry of all their goods before bringing them on shore on pain of forfeiture, half to the country and half to the officer, and to pay customs for wines according to these rates: for every butt of Fayal wines, or others of the Western Islands, 5*s.*, for Madeira wines, 6*s.* 8*d.* a pipe, for sherry, sack, Malaga, Canary, muscatels, malmoies, and other wines from the Straits, bastards, tents, and Allicants 10*s.* a butt, French wine 2*s.* 6*d.* per hogshead, strong water 10*s.* per hogshead; besides these, all merchants of stranger ships to pay at the rate of 6*d.* a ton for every ship out of the merchandise that they sell, and the master of every such ship, 10*s.*, but no English ship or ships of confederates to pay the 6*d.* a ton, but only 10*s.* for every ship above 200 tons, and 6*s.* 8*d.* for every ship of less burden; all goods imported except fish, wool, cotton-wool, salt, and other things exempted, to pay for every 20*s.* value 1*d.*, every 100*l.* worth of goods at the port whence they came to be valued at 120*l.*; for all cattle brought into their jurisdiction to be sold, killed, or transported, the rate before mentioned to be paid for every head on penalty of forfeiture. Excise: For every hogshead of cider, ale, and beer sold in public houses 2*s.* 8*d.*, and for mum 5*s.* Several fines bringing in a large revenue, such as: for galloping in Boston streets 3*s.* 4*d.*, for playing at shovel board, bowling or other game, the house to pay 20*s.*, and every person playing 5*s.*; persons playing for money to forfeit treble value of the money played for, half to the informer, half to the Treasury; every person dancing in ordinaries to pay 5*s.*; every person offending by observing Christmas to pay 5*s.*; every person bringing playing cards into the jurisdiction, or playing with them, to pay

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5*l.*, half to the informer, and half to the Treasury. The Militia: The military forces of Suffolk, Middlesex, and Essex to be under the command of the sergeant-major in each county, and the militia of Norfolk to be under the command of the Major of the Essex regiment; every sergeant-major once in three years to draw his regiment in a convenient place to instruct and exercise it in military discipline, and to have for this 20*l.* allowed him out of the Treasury of the country, and if he thinks fit to require the chief officers of each company to meet and settle the particular company and may impose fines on delinquents for defects in arms, ammunition, &c., and to give orders to the clerks of the company to take distress within a month; the regiments being increased from three to six are to meet each in the counties of Suffolk, Norfolk, Middlesex, Yorkshire, Essex, and Hampshire; 64 soldiers besides officers to form a foot company, and to have two drums; commission officers to be chosen by the General Court, or in case of emergency (except the Major-General and Admiral) by the Council of the Commonwealth; the officers of each company to attend to the complete arming of the company, of which two-thirds shall be musketeers and the rest pikes; the chief officers may punish the soldiers' disorders with any usual military punishment, or by fines not exceeding 20*s.*, or may hand them over to the magistrate; the pikeman to be furnished with corslet, headpiece, sword, and snap-sack (or by a buff or quilted coat, instead of a corslet), the musketeers to have in readiness musket, priming wire, warm scourer, mould, sword rest, bandoliers, 1 lb. of powder, 20 bullets, and two fathom match, under penalty of 10*s.* for every defect, and so must all inhabitants under like penalty (except magistrates, elders of churches, &c.); all persons above 16 to attend military exercise in training, watching, warding, &c., under penalty of 5*s.*, except magistrates, deputies, officers of courts, elders, &c. 5 *pp.* [*Col. Papers, Vol. XLI., No.* 46.]

374. Petition of Alexander Culpeper, Administrator of the estate of Sir William Berkeley, late Governor of Virginia, to the King. There remains unpaid the salary of Sir William Berkeley for a considerable time before his death, which is now legally due to his widow, Lady Berkeley; prays that His Majesty will send orders to the Governor in Virginia to direct the payment of all such moneys due to Midsummer last out of the first public moneys raised for that purposes. 1 *p.* [*Col Papers, Vol. XLI., No.* 47.]

Aug. 1. Jamaica. **375.** Peter Beckford, Clerk of the Council, to Secretary Williamson. Sends the Acts already passed. The Assembly met 9th April last, and sat after two adjournments till 26th July; they had prepared more Acts, but some difference arising, the Governor after he had consented to these Acts, dissolved them, and new writs are out for a new Assembly to convene 6th September. Supposes they may finish all there is to do in a week. The last

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difference arose from one Browne, a privateer, taking a Dutch ship freighted with negroes, to trade with the Spaniards. Relates the circumstances. At least 300 come in since the passing of the Act against serving under a foreign prince. Men will not venture their lives to serve the French, it being death by said Act to do so. Several Spanish towns taken by the French of late at the taking of Sta Martha, they had about 100 English, who have all since come in upon the Act. Some of the prisoners taken brought to Jamaica by the French. Begs to be favoured with an open letter of recommendation to deliver at the arrival of the Earl of Carlisle, as Williamson gave him to Lord Vaughan. 2½ *pp.* [*Col. Papers, Vol. XLI., No.* 48.]

Aug. 1. **376.** Thomas Watkins to Secretary Sir Joseph Williamson. Sends papers which came to his hands this day by a master of a Virginia merchantman (the enclosures are the letters of 28th April and 11th June of Governor Berkeley and Lieutenant-Governor Jeffreys, *see ante, Nos.* 198, 293). [*Col. Papers, Vol. XLI., No.* 49.]

Aug. 2. (Whitehall). **377.** Journal of Lords of Trade and Plantations. Debate upon the business of Virginia and upon expedients to quiet the minds of the people there. Notice taken of certain laws made since the Rebellion for restitution of plundered goods, and that His Majesty's Proclamation for General Pardon did not hinder such restitution, but did only pardon the crime against his authority, also of a proclamation of Sir W. Berkeley contrary thereto. It is conceived much for His Majesty's honour as for the quiet of that place to issue a new proclamation confirming the former, and absolutely pardoning as to the crime of rebellion all that laid hold on the conditions of the same. Lord Culpeper and Colonel Parks examined in reference to the estates confiscated. Agreed to report to His Majesty that a proclamation may issue in Virginia to disannul whatever the Governor did in derogation of what, in His Majesty's name, was first proclaimed, and that restitution be made of all confiscations made by the Governor upon his proceedings contrary to the King's proclamation. Restitution of goods found in the hands of any that "partaked" in the Rebellion to be made to the lawful owners. Objections to a law passed since the Rebellion; that part relating to incapacitating those concerned in the late Rebellion from bearing office to be reconsidered. These Minutes to be sent to Mr. Secretary Coventry, and further proceedings respited till his health permit him to be present. Lord Culpeper, Governor of Virginia, to have access to all Virginia papers in the Plantation Office. 3 *pp.* [*Col. Entry Bk., Vol. CV., pp.* 99–101.]

[Aug. 2.] **378.** "Objections against the laws of New England by Mr. Attorney." P. 1. Offences made capital which are so by the word of God; if by the word is meant the Mosaical law the obligation ceaseth and the patent will not in many instances be fit to be followed by Christians, *e.g.*, to make it death to gather sticks on the

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Sabbath, and many others. P. 15. Stubborn son on complaint of father or mother to be put to death. Part of the Mosaical law which makes it suspicious what is meant by the word of God; the law against the stubborn son took its original from the power of life and death which parents anciently had which by consent hath been long since disused. Pp. 12, 13. Burglary and robbery not punishable with death till the third offence. P. 15. Rebellion only such as is against the Commonwealth. P. 34. General Court called the chief civil power in the Commonwealth. P. 58. Fine of 5*s.* for the observance of Christmas. P. 102. Civil marriage. P. 132. Penalty for walking in streets or fields, and for children playing on the Sabbath. P. 119. No provision for taking the Oath of Allegiance by common persons. Pp. 163, 164. The preamble of the oaths taken by the officers too restrictive, viz., "considering how I stand obliged to His Majestie by our Charter and the Government thereby established." P. 167. In the oath of a major of a regiment and other inferior officers no obedience sworn to the King. P. 117. Power assumed to coin money. P. 154. To make money current. "Recd. 2 Aug. 1677." 1 *p.* [*Col. Papers, Vol. XLI., No.* 50; *also Col. Entry Bk., Vol. LX., p.* 231.]

Aug. 2. **379.** Massachusetts laws repugnant to the laws of England [Presented by the Attorney-General] comprised under these heads: Civil privilege; liberty to dispose of estates; apparel; capital laws; power of courts; ecclesiastical laws; magistrates' election; freemen; dancing and gaming; observation of Christmas; marriages; coining of money; oaths; torture; drinking of healths; entertaining strangers; possession of lands, Anno 1672; single women not to entertain lodgers; oppression in trade; impressing soldiers. 1 *p.* [*Col. Papers, Vol. XLI., No.* 51; *also Col. Entry Bk., Vol. LX., p.* 231.]

[Aug. 2.] **380.** Case on the Patent of the Massachusetts Corporation. The Patent confirms the right of soil and erects a corporation; the common privileges of corporation are granted with the reserving clause that the laws, &c. be not repugnant to the laws of England. The Company have not *jura regalia*, but by virtue of their patent have erected courts and digested the laws into a volumn in 1650–51. These laws are (1) defective (*a*) in making no provision for High Treason, (*b*) in not requiring the oaths of allegiance and supremacy as the laws of England direct; (2) objectionable (*a*) in the style, the word commonwealth being used, (*b*) in comprising under heresy several punishments disproportionate to the offences as by banishment and death, the pecuniary penalty for keeping Christmas day ought to be struck out; (*c*) in appointing civil marriage; (*d*) in the law that none shall be put to death without the oath of two or three witnesses, which may be a means of encouraging murder and other great offences. These instances are put as a guide that the Massachusetts may proceed according to their patent that they must act according to the laws of England. *Signed by* Sir Fra. Winnington, Solicitor-General, 1 August 1677. *Underwritten,*

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"Read 22 Aug. '77." 2 *pp.* [*Col. Papers, Vol. XLI., No.* 52; *also Col. Entry Bk., Vol. LX., p.* 231.]

Aug. 2. Whitehall. **381.** Journal of Lords of Trade and Plantations. Read a Catalogue of Laws sent in by the Attorney and Solicitor General passed by the Government of New England which are repugnant to the laws of England, and their Lordships find much reason to advise His Majesty to write to New England for the abolishing all these laws. Mr. Attorney acquainted their Lordships that the Agents were in a manner ashamed of them, only as regards that concerning the observation of the Lord's day they seemed somewhat tenacious. Their Lordships take notice from the complaint of Mr. Randolph that although the law limiting the Government to Church members was "abolished," yet the practice had been all along quite otherwise. Touching the principles and discourses of Governor Leverett, savouring of very little obedience to His Majesty, their Lordships deliberated upon it as a point much importing His Majesty's service that no Governor there should be established and confirmed without His Majesty's approbation, some of their Lordships added his Majesty's Commission, but this was thought at present unseasonable. The Agents were called in and several points repeated to them, more particularly the many repugnances found in their laws against those of England, all which His Majesty would expect to have repealed; that His Majesty would not suffer the abuse of the Navigation Act to continue, but they should receive an officer of the customs to see that Act in His Majesty's behalf fully conformed to. The Agents replied that as regarded Church members only they knew of no such practice as that complained of, but that any freeman is capable of being Governor, that several freemen are not Church members and that 'tis not the point of opinion in religion but the number of votes that prefers one and lays by others according to their constitution. And their Lordships seemed to acquiesce in this answer. The Agents were further told that their Principals were faulty in raising taxes on the King's subjects who traded with them, so that they must expect to undergo the amendment of these and other abuses, and attend the Attorney-General, (1) to observe his objections to their laws, if they can allege anything why they should not be abolished; (2) for the model of a pardon from His Majesty for coining money without authority; (3) for an additional Charter to give them power to coin money and make foreign coins current in that country; (4) for Mr. Attorney te report how he finds His Majesty's authority preserved in the present Charter. The agents were also ordered to give in a list of the Plantations which by the Judge's late report are outside the Massachusetts government that they may the better advise His Majesty how they might be governed. Mason is called in and prays that the Agents might before their Lordships disclaim any title to the soil of his province. The Lords acquaint Mason that if they do not agree to give him his own there is a third power to be erected for the decision of what he and Gorges claim. After the Agents had spoken Mason is told they do

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disclaim title to anything Mason has title to. [*Col. Entry Bk., Vol. CV., pp.* 101–104.]

Aug. 3. Whitehall. **382.** Secretary Sir Henry Coventry to Herbert Jeffreys, Lieutenant Governor of Virginia. Thomas Webb goes to Virginia to obtain satisfaction of Robert Spring an inhabitant for a considerable sum of money due to him for goods and money supplied to said Spring, who it seems, thinking himself secure by the remoteness of the place where he is, will neither give satisfaction nor come to any account. Webb is altogether a stranger, both as to the country and their laws, and hath desired a few lines of recommendation to "your favour in his person and to your justice in his affairs," which Secretary Coventry has no doubt he will extend to him. [*Col. Entry Bk., Vol. CX. p.* 114.]

Aug. 5. Jamaica. **383.** Sir Thomas Lynch to Secretary Williamson. Was to have waited upon him with the further advice received yesterday from Jamaica. Governor Vaughan's endeavours to restrain the Governor of Sta Martha and other Spanish prisoners aboard Captain Legarde, proved ineffectual, "the French being obstinate and damnably enraged the English had left them" for divers of our privateers are come in since that upon the Act. The Bishop of Sta Martha still here, Governor Vaughan is hiring a vessel to send him to Carthagena with which he is exceedingly pleased. My Lord and the Assembly have not agreed, so he has dissolved them. Relates the circumstances of the taking of a Dutch negro ship by one Browne a Scotchman, who had a commission from Mons. Ogeron, Governor of Tortugas, who has been dead above a year; the trial and condemnation of Browne and his Company for piracy, Browne was ordered to be executed, his men being pardoned, but he petitioned the Assembly that he might have the benefit of their Act, who petitioned the Governor for a reprieve, but he sent orders for immediate execution "whereupon the fellow was hanged." Half-an-hour after the Marshal came with an order signed by the Speaker to observe the Chief Justice's writ of *habeas corpus* which had been granted, but superseded by the Governor's order. My Lord resented this proceeding and immediately sent for the Assembly which after reproving he dissolved. 2½ *pp.* [*Col. Papers, Vol. XLI., No.* 53.]

Aug. 6. Whitehall. **384.** Secretary Coventry to the Lieutenant-Governor and Council of Virginia. It having pleased God lately to take Sir William Berkeley out of this life, His Majesty hath declared Lord Culpeper, Governor of Virginia according to his former grant under the great seal, and intends to dispatch him with all speed to take charge of that Government. In the meantime the management thereof is recommended to their care in their joint and several stations until Lord Culpeper's arrival which, according to His Majesty's especial injunction and the assurance his Lordship hath given, shall be by Christmas next without fail. [*Col. Entry Bk., Vol. XCV., p.* 210.]

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Aug 6. Whitehall.

385. Secretary Coventry to Colonel Jeffreys. Notifies death of Sir William Berkeley and appointment of Lord Culpeper to the Government of Virginia. His Majesty's command to give Jeffreys particular notice thereof, and also His Majsty's kind and gracious intentions towards him, to wit, that although Lord Culpeper is to enter upon and enjoy the salary of Governor from the time of Sir William Berkeley's death, yet His Majesty will take care Jeffreys shall be no loser thereby, and that no part of the salary he now receives shall be abridged so long as he continues in that Government. [*Col. Entry Bk., Vol. XCV., p.* 211.]

Aug. 6. Whitehall.

386. Secretary Coventry to Colonel Jeffreys. Has received his letter of 11th June, but it came in the beginning of a sickness which is yet so severe he is hardly able to write congratulations on the peace he has made with the Indians. As for the letter and other transactions of Sir William Berkeley, he came here alive, but so unlike to live that it had been very inhuman to have troubled him with any interrogations, so he died without any account given of his Government. Upon his death Lord Culpeper kissed the King's hands as Governor by virtue of his former patent. Has not been able to attend the Council since the declaring Lord Culpeper Governor, but with returning strength will draw clear and positive resolutions concerning Jeffreys and the Government. Wishes his brother Commissioners were here, for till they come we must remain in the dark as to many very essential things. 2 *pp.* [*Col. Entry Bk., Vol. XCV., pp.* 213–214.]

Aug. $\frac{6}{16}$. Barbadoes.

387. Governor Atkins to Secretary Sir Joseph Williamson. Has received his of 1st June with the King's commands concerning Judge Sharpe which shall speedily be put in execution. Is sorry he should give His Majesty any occasion of offence, for he is a man very considerable in the island, both for his knowledge of the law of which they have very few as also in interest. Knows nothing of his offence therefore cannot say anything for him. Has not yet recovered from a sickness which has brought him very near to death, but hopes the dangerous part is over. 1 *p.* [*Col. Papers, Vol. XLI., No.* 54.]

Aug. 9. Whitehall.

388. Journal of the Lords of Trade and Plantations. That His Majesty was hastening the Lord Culpeper to his government in Virginia, and having proposed to him to be ready by Christmas, His Lordship had offered to be ready even by Michaelmas. Lord Berkeley complains of the accusations against his brother, the Governor, and desired them in writing that he might disprove them; he also complained against the officers now in Virginia, particularly Colonel Jeffreys, for assuming the style of Governor, and that he is about to call an Assembly which may prove of pernicious consequence. Their Lordships answer that, when Mr. Attorney shall report upon the law there touching confiscations, it will naturally lead to the consideration of what is moved in the first point, and as to the second their Lordships

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agree that a sudden meeting of the Assembly there may not be for His Majesty's service; to be added to the instructions of Colonel Parks (who is now on his departure), to advertise the officers there that Lord Culpeper would be suddenly on the place, and would bring with him all materials from His Majesty touching their laws and the composure of all things in that Colony, and that they desist from calling an Assembly, unless there do fall out some such extraordinary occasion for it as cannot be here foreseen. It was observed by Sir Jos. Williamson that though Colonel Parks carries with him the powers of a Governor, he could not assume any other title than what the Broad Seal gave him, and that it was a vanity in him to go beyond it, yet having taken the oath administered to Governors he pretends to justify what he has done in point of the title. [*Col. Entry Bk., Vol. CV., pp.* 105, 106.]

Aug. 20. **389.** Abstract of Laws made at Jamaica on 20th August 1677. *Also,* List of seven Laws made at Jamaica at same time, four being in said Abstract. *Also,* An Act for regulating Surveyors and clearing of Lines, passed 20th August 1677, "Amended but not approved." *Two papers.* [*Col. Papers, Vol. XLI., Nos.* 55, 56; *see also Col. Entry Bk., Vol. XXIX., p.* 142.]

Aug. 25. Whitehall. **390.** The King to Lieutenant-Governor Herbert Jeffreys and the Council of Virginia. To the same effect and almost in the same words as the letter from Secretary Coventry of 6th August, *see ante, No.* 384. [*Col. Entry Bk., Vol. XCV., p.* 215.]

Aug. 25. Whitehall. **391.** The King to Herbert Jeffreys, Lieutenant-Governor of Virginia. To the same effect and almost in the same words as Secretary Coventry's letter of the 6th August, *see ante, No.* 385. [*Col. Entry Bk., Vol. XCV, p.* 216.]

Aug. 30. Whitehall. **392.** Sir Robert Southwell to Colonel Stapleton. This serves only to accompany a number of printed books, containing regulations for giving passes suitable to what has been established in England, yet with the variations necessary for his parts. *With mem.,* "Sent to Sir Jonathan Atkins Oct. 19. Twelve books of passes." [*Col. Papers, Vol. XLI., No.* 57.]

Aug. 30. Whitehall. **393.** Journal of Lords of Trade and Plantations. Letter from their Lordships to Colonel Stapleton read acknowledging receipt of all his letters, and informing him with the state of affairs here in relation to the Leeward Islands. Ordered that it be made ready for signing against next meeting. [*Col. Entry Bk., Vol. CV., p.* 109.]

Aug. 30.
Sept. 2. (*sic.*) London. **394.** The Directors of the Dutch West Indies Company to the Royal African Company of England. On the importance and usefulness of there being a mutual understanding between the two Companies as to the traffic in negroes on the coasts of Africa and the preventing the trading there of interlopers. *Endorsed by Secretary Williamson,* "The Dutch West Ind. Co. propositions." *French.* 6 *pp.* [*Col. Papers, Vol. XLI., No.* 58.]

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Sept. 4. Whitehall. **395.** Secretary Sir H. Coventry to the Earl of Carlisle, Governor of Jamaica. It is the King's pleasure that he repair to the Lords of the Admiralty with all speed, in order to the hastening of his preparations for his voyage to Jamaica, the ship appointed to carry his Lordship being also designed to attend upon said island in the room of the Phœnix, now come home. His Majesty's command and the present exigency will have such influence upon his Lordship that he need add no more. [*Col. Entry Bk., Vol. CX., p.* 115.]

Sept. 4. **396.** Minutes of the Council of Barbadoes. The Governor summoned the Assembly and told them the King had sent the Constant Warwick to do service in the island, and not by any means to impose upon them, and the King's orders were delivered to the Speaker. He also acquainted the Assembly they had begun the works to leeward, and propounded Commissioners for paying the wages of the workmen. Also that he had to give an account of arms and ammunition sent from the King's stores, that he had sent for match for which he desired payment, that 1,500 pikes moved for in England without his orders he should not engage for, and that they ought to return their thanks to the King for sending the Constant Warwick. [*Col. Entry Bk., Vol. XI., pp.* 296, 297.]

Sept. 4–6. **397.** Journal of Assembly of Barbadoes. Orders for payment of salaries to the gunners of several forts and batteries. Act for empowering Benjamin Middleton to sell his estate for payment of his debts read a third time and passed, also an Act for the more speedy remedy in distresses. Remonstrance of William Walley in relation to irregular proceedings of John Gibbs, Marshal of the Court at St. Peter's, to be examined by Henry Quintine, Judge. Resolved that 300*l.* be given to Colonel Daniel Searle, "as the kindness of the inhabitants of this island," who are sensible of his present poverty, but not to be in any way liable to the demands of his creditors. Petitions of divers persons in relation to sour wines recommended to the care of the Treasurer and Major John Hallett. Letter from the King to Sir Jonathan Atkins, appointing and sending His Majesty's ship the Constant Warwick, Captain Ralph Delavall commander, to Barbadoes, to be employed for the security of the trade and other public services of the island, communicated by the Governor to the House.

Sept. 6. Orders upon petitions of Walter Benthall, merchant, Thomas Doxey, merchant, Josiah Ingle, Richard Bubb, merchant, and Captain John Johnson praying for remission of duty on wines and beer turned sour and unsaleable. Act for reviving and continuing an Act for laying an imposition on wines and other liquors imported; also an Act to prevent frauds and concealments in the payment of excise. The Governor communicated to the House a letter from Colonel Edward Thornburgh, and enclosed copies of petition of the Gentlemen Planters in England to the King, Report of the Lords of Trade and Plantations to the King, and Order of the King in Council thereon (*see ante Nos.* 231, 259, 264),

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in reference to a supply of match, pikes, and small arms for Barbadoes. Resolved that the 1,500 pikes therein mentioned are wholly useless to the island, and would be a great and unnecessary charge, but that a letter of thanks be written to the Lords of Trade and Plantations for their care and readiness in favour of the country. That the Governor be moved to employ some one in England to purchase 1,200 plain firelocks "after the French work, about the value of twenty shillings each," and two hundred carbines, with cartouch boxes, &c., for which the Assembly promise to ship sugars from hence. Ordered that the Commissioners of the Forts have power to charge the Receivers of the public levies for payment of workmen, materials, and other incidents and necessaries for making, repairing, and finishing said forts. Order repealing an Order of 16th March 1677 concerning the filling up of strong liquors on shore, and ordering that same be filled up on board ship. Adjourned to 2nd October. [*Col. Entry Bk., Vol. XIII., pp.* 265–277.]

Sept. 4. **398.** Minutes of the Council of Jamaica. The Provost Marshal brought in the returns of the several elections as follow :—

St. David's, Thomas Ryves and Captain Thomas Fargor.
St. George's, William Nedham and George [Robert] Philipps.
St. Dorothy's, John Colebeck and Theodore Cary.
St. Thomas, Captain Edward Stanton and Clem. Richardson.
Clarendon, Thomas Sutton and Jonathan Ashurst.
St. Andrew's, Samuel Barry and John Barnaby.
St. Elizabeth, Richard Scott and Thomas Raby.
Port Royal, William Beeston, Anthony Swimmer, and Charles Morgan.
St. John's, Whitgift Aylemore and Richard Oldfield.
St. Mary's, John Fountain and Andrew Orgill.
Vere, Andrew Knight and Andrew Langly.
St. Thomas-in-the-Vale, Fulke Rose and George Nedham.
St. Katherine's, John Bowden, Samuel Bernard, and William Bragg.
St. Ann's, Richard Hemmings and John Gawden.
St. James', Richard Guy and Samuel Jenks.

Sept. 6. The Assembly attended in a full body except seven, and took the oaths of allegiance and supremacy. They afterwards chose William Beeston as Speaker, of whom the Governor approved.

Sept. 7. The oaths administered to Andrew Knight and Captain Clem Richardson. Committee sent from the House to return thanks for the Governor's favourable speech, and said they were resolved to comply in all things with the Governor's directions to fortify the island with good laws and forts. They desired the Acts which lay before the Council.

Sept. 8. Proceedings on Bills brought from the House.

Sept. 10. Captain Richard Guy and Captain Edw. Stanton take the oaths Bill for prevention of lawsuits brought from the House, read three times, and passed.

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Sept. 11. Oaths administered to Lieutenant-Colonel Whitgift Aylemore. Bills brought from the House. Captain Anthony Swimmer sworn.

Sept. 12. Proceedings on several Bills.

Sept. 13. Debate on several Bills, which are read a first and second time, and some of them a third time and passed.

Sept. 14. The Act for preventing damages in Plantations, preserving cattle, and regulating highways, and the Act for ordering boats and wherries were passed; also the Act for establishing and regulating several courts of justice.

Sept. 15. Bills for the sale of Nicholas Hick's estate and for the sale of Benjamin Whetcombe's estate read a second time and committed.

Sept. 17. Several Bills, with amendments, brought from the House, read a second time and committed.

Sept. 18. The oaths taken by Samuel Jenks. Amendments to Bills brought from the House agreed to.

Sept. 19. Proceedings on various Bills.

Sept. 20. The Speaker, with the whole House, attended when the Governor signed the Bills enumerated, but declared his confirmation should not put an end to the Session.

Sept. 21. Bills read a third time and passed.

Sept. 25. Conference desired by the House agreed to. Bills advanced a stage. Petition of John Collett referred to the Assembly.

Sept. 26. An amendment desired by the House in the Bill for confirmation of pious, charitable, and public gifts and grants agreed to, and ordered to be sent down. Proceedings on other Bills.

Sept. 27. Two letters from the King dated respectively 12th May and 17th May (*see ante, Nos.* 235, 253) ordered to be entered in the Council Book. John Ball was accordingly admitted to the Council and took the oaths. Bills read a third time and passed.

Sept. 28. The Governor signs several Bills in presence of the Speaker and the whole House.

[*Col. Entry Bk., Vol. XXXV., pp.* 613–639.]

(Sept. 6.) **399.** Representation of William Stoughton and Peter Bulkeley to the Lords of Trade and Plantations. Their Lordships having required an account of such places as by the report of the Lords Chief Justices are without the bounds of the Massachusetts and within the limits of no other jurisdiction, the Agents inform them that between the N. bounds of the Massachusetts as now retrenched and the S. bounds of Maine adjudged to Mr. Gorges, lies a small tract of land which (though begun to be planted upwards of 40 years since) yet, by reason of its scantiness of accommodation, contains only four plantations or towns, the inhabitants whereof are but few in number and the generality of mean and low estates; that those places have never been taken in by any other government but that of the Massachusetts, under which they have been, to their great advantage and content, fixed very near 40 years, but if taken off from that government will be under none, and so at the King's immediate dispose. The Agents therefore pray on behalf of these plantations, the minds of the people being very well known to them, that they may be continued under the Massachusetts govern-

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ment, whereby the N. bounds of the Colony will be free from intricacy, many hazards and changes will be prevented, the inhabitants will be gratified, and no injury will be done to any one claiming propriety in the soil, the determination of which is not desired to be hereby obstructed. *Signed by* William Stoughton and Peter Bulkeley. "Presented 6 Sept. 1677." 1 *p.* [*Col. Papers, Vol. XLI., No.* 59 ; *also Col. Entry Bk., Vol. LX., p.* 237.]

Sept. 6. Whitehall. **400.** Journal of Lords of Trade and Plantations. The Agents of Boston give in a paper declaring the extent of the plantations without their jurisdiction according to the Judges' report, and pray that His Majesty would continue them under the Massachusetts government for the reasons mentioned which their Lordships read and lay aside until a fit time for consideration. The Agents, in regard they are required to stay in England until next spring, desire leave to go for some short time into the country promising to be ready to attend upon summons.

The laws of Jamaica having been since May last lying before Mr. Attorney-General to report his opinion, their Lordships think fit he be put in mind of them in order to his hastening their return, *see letter 9th October, No.* 423. [*Col. Entry Bk., Vol. CV., pp.* 109, 110.]

Sept. 6. **401.** Journal of Lords of Trade and Plantations. Mr. Secretary Coventry delivers a journal of the proceedings of the Assembly of Jamaica against Thomas Martin, Receiver of His Majesty's duties. *Annexed,*

401. I. The Journal of Assembly of Jamaica above referred to. 11 *pp.*

401. II. Articles exhibited against Thomas Martin by the Assembly of Jamaica. 1½ *pp.*

401. III. Answer of Thomas Martin, one of the representatives of the Commons of Jamaica. 3 *pp.* (Nos. II. III. are included in the preceding Journal.)

401. IV. A true account of what passed between the Assemblyof Jamaica and Thomas Martin, one of their Members, since 25th May 1677. 7 *pp.* [*Col. Papers, Vol. XLI., Nos.* 60, 60 I.–IV., *and Col. Entry Bk., Vol. CV., p.* 110.]

Sept. 6. **402.** Journal of the Assembly of Jamaica. Names of the Members elected, *see ante No.* 398. William Beeston chosen Speaker. Mr. Howser to be desired "to make a sermon" to-morrow and the Governor to have notice.

Sept. 7. Their former Clerk chosen. Committee to return thanks to the Governor for his favourable speech. Mr. Bayley chosen Messenger of the House. Committee to demand from the Governor the Bills of the House before Council and the writs and returns of the elections. Rules to be observed for their proceeding, the last being that the Speaker and Assembly imprison such of their members as are disobedient, drunken, or prophane, that all may be done to the glory of God.

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Sept. 7–9. Debate on various Acts.

Sept. 10. Captains Guy and Stanton sent to the Council to be sworn. Debate on the Parish tax. Various Acts forwarded a stage.

Sept. 11–14. Lieutenant-Colonels Barry and Aylemore sent to the Council to be sworn, also Captain Swimmer. Proceedings on several Acts. Conference desired with the Council concerning the amendments in the bills of fees and enrolments. Moved that the island be fortified and the survey made of the forts desired by the Governor. Bills for sale of the estates of Nicholas Hicks and Benjamin Whitcombe for satisfaction of debts.

Sept. 15, 17, 18. Debate on various Acts. Major Jenks sent to the Council to be sworn. The House satisfied with his excuse for his long absence. In reply to the House the Governor said the Assembly could not employ a Committee to take oaths, but must send after examination to the Council to have the parties sworn. Reginald Wilson to appear before the Committee appointed to make inspection into the revenue.

Sept. 19, 20. Debate upon several Acts including the Act for fortifications and Act of the revenue. Voted that James Barclay, Clerk of the Assembly, be paid 80*l.* for his attendance at the former Assembly, and this, also that Major Yeamans, Provost-Marshal be paid 80*l.* for his attendance. Message from the Governor to be present at the signing of several Acts which are enumerated.

Sept. 21. Proceedings on various Acts. Voted that Governor Lord Vaughan have 1,000*l.* and Sir Henry 300*l.* Also that a messenger be sent for Major Jenks to make his appearance and answer his contempt. Committee appointed to examine Acts in which are fines, and no care taken for the levying. Petition of George Freeman about his brother's estate.

Sept. 24. Petition of Captain James Davis read for satisfaction for services against the rebellious negroes. Committee to enquire of Colonel Fuller what number of negroes were killed by petitioner and the satisfaction already had. Petitions of Captain Haughton and Mr. Ridgeway read; no petitions to be received founded upon an Order of the Council.

Sept. 25. Debate on the Act of the Revenue. Conference desired about the Act of pious grants, committee appointed. Voted that Major Jenks be fined 3*l.* Petition of Mr. Ball for Daniel Jordan's real estate to be sold for payment of his debts. Major Nedham's petition for satisfaction for a negro executed for rebellion referred to the Council.

Sept. 26. Debate on several Acts. Title of the Act of revenue. Petition of Thomas Martin praying to be released by the House. Another paper of his read, wherein he questions the power of the former Assembly to imprison him, which made the House resolve to proceed no further in this business unless he make his application to the Governor or a more humble address to the House. Committee to examine the charge occasioned by the rebellion of the Northside negroes.

Sept. 27, 28. Petition of Thomas Martin representing his disability to satisfy his fine and charges and praying they may be moderated and be

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released and the House intercede with the Governor in petitioner's behalf—carried in the negative. Proceedings on several Acts. The whole House went to the Council table to be present as the several bills passed both houses. The Provost-Marshal returned to the House and desired by the Governor's order that there be no debate before they waited upon him. [*Col. Entry Bk., Vol. XXXVII., pp.* 186–193.]

Sept. $\frac{6}{16}$. Barbadoes. **403.** Governor Sir Jonathan Atkins to Lords of Trade and Plantations. Has received theirs of the last of May (*see ante, No.* 276) with very great satisfaction "I lying before under a despair to find all my endeavours encounter so many misapprehensions as was signified to me by your former letters." Has not neglected his duty or oppressed any body, for he has maintained the King's honour and interest and all that tends to his service. If he has erred by mistake shall readily incline himself to reform. As to Sir Peter Colleton's address for 1,500 pikes, wonders no less than their Lordships that without order from himself the Council and Assembly any should venture to make such an address to put the country to charge without their own consents. Reasons why pikes have become useless, besides their is a worm in the country that eats the wood that comes from England, wherefore their Lordships are begged to supercede that order. He had been a very ill husband for the King if he had sent for any arms upon the King's account, since the country are obliged to pay for their own arms and ammunition by the Earl of Carlisle's charter, so has prevailed with them to send for 1,200 firelocks with cartridge boxes and girdles, and 200 carbines, for payment whereof they have passed an Act and beg they may be their own chapmen and permitted to transport them by their own agents. Will see the Master of the Ordnance is paid for the match sent for. Complains that merchants upon the Exchange and of the Guinea Company, and others, take upon themselves in some measure to be Governors of Barbadoes, so having so many masters he knows not who to please. And that the places of profit are given away by patent from England which was never done before. It were to be wished that Sir Peter Colleton and those other gentlemen would move in their own spheres for the future. Answer to query about the arms and ammunition sent since the King's restoration, also Artillery, powder, etc. "three times my Lords already I have given you this account * * * * the strength and weakness of any place of this importance ought to be kept secret. And therefore, my Lords, His Majesty having been pleased to appoint me here his Captain General, for which I am accountable to him, either with the utmost peril of my life to defend it or if I neglect my duty to answer it with my head, and usually those are privacies seldom imparted but to the officers of the place and that but upon occasion, I beg your Lordships' pardon that I use these expressions, not having the least thought of derogating from your Lordships' power, or that I am ignorant your Lordships are not trusted with greater secrets than these. But I fear my papers are neglected, that you are pleased to

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take no more notice of what I writ before, and that papers of that kind are made more public than the nature of the thing will admit. But to show I will disobey your Lordships in nothing, I have sent you herewith a new list agreeable to your last commands." Complaints made to him on behalf of masters of ships seized by the French. Has sent the King's frigate to the Governor of the French islands to demand a reason for these proceedings. Is confident the Dutch plantations at Tobago and Surinam will come to nothing. Disastrous design of the Dutch replanting Tobago, most either starved or dead. Has sent the law against Quakers bringing negroes to their conventicles necessary for the safety of the island. 4 *pp.* *Endorsed* "Rec. 18 Nov. Read 27 Nov. 1677." *Encloses,*

403. I. List of the King's Council in Barbadoes, viz:—

Colonel John Willoughby.
Sir Peter Colleton, Bart.
Colonel Henry Drax.
Samuel Farmer, Esq.
Colonel Henry Walrond.
Thomas Wardall, Esq.
Lieutenant-Colonel Samuel Newton.
Colonel Simon Lambert.
John Peers, Esq.
Colonel John Standfast.
John Sparkes.
Colonel Henry Hawley, dead. Expects the King's Order for another in his place.

Judges.

Henry Walrond, Junr., Judge of Austins.
John Wilham, Esq., Judge of Bridge Town.
Edw. Littleton, Esq., Judge of the Hole Court.
Henry Quinto, Esq., Judge of Speights.
John Reid, Esq., Judge of Scotland Court.

Military Officers.

Sir Peter Colleton, Colonel of Horse.
Samuel Newton, Lieutenant-Colonel.
John Hallet, Major.
Colonel Symon Lambert, Colonel of Horse.
Lieutenant-Colonel James Carter, Lieutenant-Colonel.
Major John Steart, Major.

Colonels of Foot.

Colonel John Willoughby.
Lieutenant-Colonel Thomas Colleton.
Major Thomas Jolley.
Colonel Christopher Lyne.
Lieutenant Colonel Lewis.
Major Richard Williams.
Colonel William Bate.
Lieutenant-Colonel John Codrington.

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Major Paul Light.
Colonel Timothy Thornhill.
Lieutenant-Colonel Affrick.
Major Helmes.
Colonel Richard Bayley.
Lieutenant-Colonel Samuel Tidcombe.
Major Foster.
Colonel John Standfast.
Lieutenant-Colonel Alexander Ruddock.
Major Robert Legarde.

Great Artillery.

Austin's Bay, 25 guns.
Battery within the Bay, 10 guns.
James Battery, 20 guns.
Read's Bay, 12 guns.
Charles Fort, 40 guns.
Willoughby Battery, 13 guns.
The Hole, 13 guns.
Speights Bay, 25 guns.

The Militia consists of 10,000 horse and foot. Between 400 and 500 barrels of powder. Are rebuilding two of the chief batteries of the island at a cost of 1,500*l.* and the arms sent for will cost 1,500*l.* more. *Together*, 8 *pp.* [*Col. Papers, Vol. XLI., Nos.* 61, 61 I., *and Col. Entry Bk., Vol. VI., pp.* 185–191, *and* 197–199.]

Sept. 10. Whitehall. **404.** Lords of Trade and Plantations to Colonel William Stapleton. Acknowledge receipt of five letters from him from 26th April to 22nd November 1676 (*all calendared in previous Volume, see Nos.* 902, 954, 990, 1017, *and* 1150), and "cannot but acknowledge your great diligence and punctuality in giving us so frequent and circumstantial accounts of His Majesty's islands under your government, and the methods you pursue in discharge of the trust reposed in you." Their Lordships have considered and selected the matters fit for His Majesty's knowledge, and reported upon such things as are necessary for the support and encouragements of the Plantations within his care. As to the English being kept out of their possessions in St. Christopher's, and His Majesty's sovereignty being disputed; supply of ministers; the recruiting of the two companies at St. Christopher's, and the establishing a fund for their pay; the sending to St. Christopher's of 300 malefactors, "whereby that island may be peopled in some equality with their neighbours"; the raising of forts, supply of arms and ammunition, and a frigate to attend the Governor, and the payment of his arrears in Sir Tobias Bridge's regiment. Relate what His Majesty has been pleased to order in reference to each of these separate wants, and also that a commission from the Duke of York as Vice-Admiral will be transmitted to him, as well as a public seal for settling and assuring the particular interests of the planters, and countenancing his own authority. Have considered his representation concerning Statia, Saba, and Tortola, and for the reasons

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set forth are of opinion that he continue the possession and posture of these islands as at present, and not admit of any claim without His Majesty's special directions. Desire him to send the laws now in force, and so from time to time to receive His Majesty's approbation; also the names of the Council and Assembly, and of the civil and military officers and their estates, and copies of all Acts of Council, and public orders. Likewise account of warlike provisions transmitted to the Leeward Islands since His Majesty's restoration, how they were received, disposed of, and paid for. Signify their satisfaction with his answers to their inquiries. Expect from him a distinct account of the men, women, and children, blacks and whites, English, Scotch, and Irish inhabits, the number that are born, christened, and die, for which purpose a register must be kept. Also his probable conjecture of the length, breadth, and circumference of Statia, Saba, and Tortola, as no survey has ever been made of those islands. 57 men have been raised to recruit the two companies, and were put on board the Hopewell 9th August last. [*Col. Entry Bk., Vol. XLVI., pp.* 241–251.]

Sept. 10. H.M.S. Leopard, St. John's, Newfoundland.

405. Sir William Poole to Lords of Trade and Plantations Has made the best inspection he can relating to the affairs of this country, and has conversed with the fishers, the "sackes," and the planters, and inquired into all their grievances, which he fears will scarce be composed while left to their own "managery," in that they are so envious one towards another, and this particular harbour of St. John's makes more trouble than all the country beside. Has sent answers at large to every head of inquiry both from inhabitants and fishers, where their Lordships will discover how they differ, and wherein they transgress the patent which they say cannot be performed at all points. Sends also account of the number of men, women, children, and servants inhabiting from Trepasse to the westward of Cape Race to Cape Bonavista; also the number of their houses, gardens, cattle, boats, stages, trainfats, &c, account of the fish ships and by boats, number of men, boats, stages, and fishing in every particular port or harbour this year; also of all the sacks, their number of men, tons, and guns in every port or harbour where they laded their fish, and to what ports transported, and as near as he could the provisions of all sorts imported this year, and from whence, as France, Portugal, Western Islands, New England, New York, and Barbadoes. How the planters pass away the winter, the quantity of fish they make, and whether cheaper or dearer than the fishermen, and the quantity they have also made. Transmits the best account he can of the French in this country, and how they manage their fishery, and much outdo our people by taking more and better fish and running to market before us; their forts, ships with their burthen, and guns. There is still an ancient animosity between the fishers and planters. Some fishers grumble the inhabitants live near the seaside, and some that they are permitted to stay in the country, notwithstanding they confess and it is very apparent that the

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planters are of very great use to them, because they have not all the flakes next the seaside to dry their fish, and cannot dispossess them of their storehouses and stages when they please. The next, which has some reason, is that the planters' houses and stages are scattered too much about the harbour, that they cannot avoid mixing one with another, which may admit of many inconveniences, but there is now no separating them without pulling down the planters' houses and rooms, which will cost them dear to rebuild, having no wood nearer than three miles. The next cavil is against the planters' hogs and cattle, which sometimes break out to their stages and spoil some of their fish, but this is no great prejudice, the custom of the country obliging a return of the fish spoilt. Another is the planters' increase, especially in St. John's, and will do faster when their children marry, and then this place cannot afford accommodation for all to fish. This must be granted if they conclude the planters to be immortal, but if succeeding years produce not more fish than this year, in six years there will not be ten planters left, for they have not this year caught fish enough either to pay their servants or the provisions bought. These are the chiefest grievances, and not very difficult to be relieved. Describes how the planters are useful to the fishers by employing their people in the woods to fell trees in the winter to saw into boards to build boats and make oars against next season, and to secure in their houses the unused salt till next year. In cases of sickness there are no other nurseries but the planters' houses, which are always at their service and their wives to attend them. But the chiefest use of the planters, as the fishers say, is at their first coming upon the coast, if by contrary winds they do not fall in with the harbour they despatch away their boats to take possession of the harbour, for first come first served, and sometimes their ships don't atrive for ten or twelve days, in such case what would become of the poor men at such a cold season if they were not relieved by the planters. At going the planters will give the fishers, or take from them, provisions for fish. To remove the planters six miles into the country is worse than to turn them off, and to turn them quite off the masters of the fishery cry God forbid. Assures their Lordships there is room enough and conveniences for all the fishers and planters that are here for this season; some of both have had more room and more stages than they have employed, "yet they would fain be injuring one another." As to the French fishery, refers to the answers to heads of inquiry, "Rec. 16 Oct. 1677." 3 *pp.* *Encloses,*

405. I. Answers to the heads of inquiry by several inhabitants and masters of fish ships in their respective harbours on the coast of Newfoundland. "Transmitted by Sir Wm. Poole pursuant to an Order of 17 May 1677. Rec. 16 Oct. 1677." 8 *pp.*

405. II. Description of the harbours and coves between Trepasse and the Bay of Bulls, with the bearings and distance of the several capes and headlands. "Rec. from Sir Wm. Poole 16 Oct. 1677." 2 *pp.*

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405. III. An account of all the harbours and bays to the northward of St. John's. "Rec. from Sir Wm. Poole 16 Oct. 1677." 3 *pp.*

405. IV. A particular account of all the inhabitants and planters living in every fishing port or harbour on Newfoundland from Cape Bonavista to Cape Race, with the number of boats, stages, trainfats, houses, beach rooms, cattle, &c., belonging to them. 2 *pp.*

405. V. Names of inhabitants, with number of wives, sons, daughters, servants, houses and lodging houses, gardens, boats, stages, trainfats, rooms or flaks, horses, cattle, sheep, hogs, quintals of fish per boat, and names of harbours. 2 *pp.*

455. VI. Account of all inhabitants or planters from Trepasse to St. John's; also of houses, &c., as in No. V. 2 *pp.*

405. VII. Total account of the inhabitants in Newfoundland, with their boats, stages, &c. "Rec. from Sir Wm. Poole 16 Oct. 1677." 4 *pp.*

405. VIII. A particular account of every fish ship in each bay or harbour, and of every sack ship, and whither bound. "Rec. from Sir Wm. Poole 16 Oct. 1677." 2 *pp.*

405. IX. Account of fishing and sack ships from Balene to St. John's Harbour. "Rec. from and signed by Sir Wm. Poole." 4 *pp.*

405. X. Account of fishing and sack ships from St. John's to Bonavista. The whole account of all the inhabitants in Newfoundland, with all the fish ships, boats, and sack ships for the year 1677; also the several sorts of wines and provisions imported this year only in St. John's Harbour. Number of men, including housekeepers, their sons and servants, 1,631; of wives, widows, daughters and maid servants, 253; total inhabitants, 1,884. The nearest estimate of fish taken, 180 kintals per boat, which makes [for 1,229 boats] 221,220 kintals. Usual estimate of salt, 30 hogsheads of salt per boat, sometimes much more, which makes 9,217 tons of salt. For every 40 kintals of fish they account one hogshead of train oil, which makes 5,530 hogsheads of train oil. There is room enough in this harbour for more boats than fished this summer without injuring one another. Signed by Sir William Poole, and received from him 16 Oct. 1677. 4 *pp.* [*Col. Papers, Vol. XLI., Nos.* 62, 62 I.-X.]

406. "An account of the Colony and Fishery of Newfoundland and the present state thereof," with a manuscript map in colours on vellum of the whole island. Probably compiled expressly for Secretary Sir Joseph Williamson, whose signature is on the title page. A manuscript volume of 33 pages bound in vellum and lettered "Newfoundland." After describing the situation and discovery, and the four several patents to Sir Humphrey Gilbert ing 1578, the Earl of Northampton, Sir Francis Bacon, and others

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in 1610, to Sir George Calvert in 1620, and to the Marquis of Hamilton, Earls of Pembroke and Holland, Sir David Kirke, and others (in 1637), and the commissions granted by "the late Usurper," the "account" goes on to say that the fishery "became liable to several abuses," upon which a commission of inquiry was issued, and rules and regulations established, and a charter was granted in 1661 to merchants and traders to Newfoundland. Then followed additional rules and sundry petitions for and against a Governor upon which the Lords of Trade and Plantations made reports, and the King issued Orders in Council. In 1670 on petition of the western merchants additional rules were framed for regulation of the fishery. The King was then petitioned on the great advantages that would attend the fishing trade by a settlement in Newfoundland under a Governor, upon which the Lords of Trade and Plantations made a further report to the King, who approved of their Lordships' proposition. In 1675 Sir John Berry was appointed a convoy to the ships trading to Newfoundland, and on his return he attended their Lordships and urged the necessity of encouraging a colony or else, he said, the French would take advantage by the intended removal to make themselves masters of all the harbours and fishing places. Then come petitions from John Downing, an inhabitant on behalf of the planters, and the proceedings thereon in 1676 and 1677, and finally Sir William Poole's answers to inquiries, and his letter of 10th September 1677, with enclosures of particulars, some of which are entered in full in this volume. Also account of the fishing trade in 1615 and in 1677, and of the French colony and Trade of Newfoundland. "Besides the English and French there are some few and inconsiderable ships from Biscay and Portugal that use this trade and keep their station on the north coast of Newfoundland, and upon the Bank. But no other nation has been known to frequent this fishery." *The petitions, reports, Orders in Council, and other papers referred to are abstracted under their respective dates in the previous volumes of this Calendar.* [*Col. Entry Bk., Vol. LXVI.*]

Sept. 11. **407.** Petition of Richard Booth, Samuel Story, Samuel Chaphamson, and William Paggen, of London, merchants, to Lords of Trade and Plantations. That certain goods laden on board the Richard and Eliza, Nicholas Pryn commander, were seized on their arrival in Virginia, upon supposition that they belonged to William Hunt, to whom one fourth part only was consigned, who was concerned in the rebellion there, though he was never convicted of any crime. Pray for an order to have same delivered to petitioners, or if embezzled or disposed of, that the Governor and Council in Virginia have directions from His Majesty to be aiding and assisting in the recovery of same. *Annexed,*

407. I. Certificate sworn before their Lordships by petitioners of the truth of their statements. 11th September 1677. "Read 9 Oct. 1677." *Two papers.* 2 *pp.* [*Col.*

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Papers, Vol. XLI., Nos. 63, 63 I.; *also Col. Entry Bk., Vol. LXXX., pp.* 180–182.]

407. II. Order of the King in Council on Report of the Lords of Trade and Plantations on above petition. Approving same, and directing that letters be written to Lieutenant-Governor Jeffreys that the goods so taken be delivered to petitioners or their agent, and in case they be disposed of, that said agent be assisted in the recovery of same. [*Col. Entry Bk., Vol. LXXX., pp.* 183–186.]

[Sept. 11.] **408.** Petition of Thomas Martin, of Jamaica, and Leonard Compeare, of London, merchants, to the Lords of Trade and Plantations. Recite former petition (*see ante, No.* 327). That Compeare has received advice that Governor Lord Vaughan not only continues to oppose Martin but has cast him into prison without bail, "being done out of a mere malice, with a design utterly to ruin him." That petitioners are informed the Earl of Carlisle is designed to succeed Lord Vaughan. Pray their Lordships to interpose with His Majesty on petitioners' behalf to recommend them to the care and favour of Lord Carlisle, and that in meantime Martin be released from imprisonment. "Read 11 Sept. 1677. Ordered to be reported." [*Col. Papers, Vol. XLI., No.* 64, *and Col. Entry Bks., Vol. XXIX., pp.* 135–138, *and Vol. CV., p.* 112.]

Sept. 11. **409.** Report of Lords of Trade and Plantations to the King on preceding petition. That by reason the Earl of Carlisle is not ready to depart for his government of Jamaica, His Majesty would immediately grant petitioner his letters to Lord Vaughan, directing him not only to release petitioner from prison, but to permit him quietly to enjoy the right of His Majesty's patent without molestation. *Draft and fair copy. Two papers.* [*Col. Papers, Vol. XLI., Nos.* 65, 66.]

Sept. 11. **410.** Order of the King in Council. Approving preceding report, and directing Secretary Coventry to prepare for His Majesty's signature the letter therein recommended to Governor Lord Vaughan. [*Col. Entry Bk., Vol. XXIX., pp.* 138, 139.]

411. Twenty Acts in Jamaica (9th April and 6th September) 1677. The first an Act for the celebration of the 10th May (1655, "the conquest of this His Majesty's island by the English forces,") is ordered by the Lords of Trade and Plantations to be abolished. 44 *pp.* [*Col. Papers, Vol. XLI. No.* 67, *and Col. Entry Bk., Vol. CV., pp.* 115–119.]

Sept. 11, 12. Whitehall. **412.** Journal of Lords of Trade and Plantations. Secretary Coventry acquaints their Lordships that Lord Carlisle is hastening by the King's order to Jamaica, and Lord Culpepper to Virginia, to take upon them their respective governments, and delivers a book of new laws made at St. Jago de la Vega, 9th April last, but

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before further progress be made in their examination, ordered that a letter be written to Mr. Attorney-General, in whose hands the old laws remain, that he give his attendance if his health permit, or send them to their Lordships. Debate concerning the manner and circumstances of enacting laws in Jamaica. Thought fit that no Assembly be called thenceforward without His Majesty's special directions, that no law be consented unto by the Governor until it be first approved by the King, and that no Assembly be called at the pleasure of the Governor but upon emergency, first to acquaint His Majesty by letter with the necessity of calling an Assembly.

Sept. 12 to Nov. 10. Secretary Sir Henry Coventry reads letter from Lord Vaughan of 26th June last (*see ante, No.* 313) transmitting Acts already made, and mentions others which will be ready next session. Their Lordships enter upon reading and taking said laws into consideration. *After several meetings, extending to 10th November following*, their Lordships, upon the whole matter, agree to report to His Majesty that these laws be sent over to Jamaica in the form and method proposed to be there received by the Assembly, and that for the future all laws be made in Jamaica as the laws of Ireland in the manner prescribed by Poyning's laws. Ordered that a copy of the Minutes taken upon reading the foregoing laws be sent to Sir William Jones, Attorney-General, with their Lordships desire that he frame accordingly a body of laws which they will offer for His Majesty's approbation (*see No.* 423). [*Col. Entry Bks., Vol. CV., pp.* 110–127, *and pp.* 149–151; *also Vol. XXIX., pp.* 143–153 *and p.* 157.]

Sept. 14. Barbadoes. **413.** Governor Sir Jonathan Atkins to [the Clerk of the Council]. Encloses the Acts of Assembly passed since his arrival which will be delivered to him by Robert Chaplin, and desires him to present them to the Lords of Trade and Plantations. *Annexed,*

413. I. Titles of the (22) Laws enacted at Barbadoes from 14th January 1675 to 11th July 1677. [*Col. Entry Bk., Vol. VI., p.* 91 *and pp.* 200–202.]

Sept. 21. Whitehall. **414.** Order of the King in Council. That the six ministers going to the Leeward Islands be allowed 20*l.* each to defray the expenses of their transportation, and the Lord Treasurer is to pay 120*l.* to the Bishop of London for their use without account, clear of any fees, for which an additioned 6*l.* is allowed. [*Col. Entry Bk., Vol. XLVI., pp.* 251, 252.]

[Sept. 21.] **415.** Petition of Richard Payne to the King. That petitioner, as Deputy to Sir Ernestus Byron, Bart., Escheator-General for the Caribbee Islands, seized the estates of James Defield, an alien Frenchman, John Downell, and Anne, his sister, who died without heirs, and Francis Adgate, who hanged himself, but Colonel Henry

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Walrond pretending a right by purchase to Defield's estate, procured the imprisonment of petitioner by Samuel Farmer, Judge of Common Pleas in Barbadoes, where he remained upwards of three years. Prays that said Farmer may be sent for home to answer his contempt to His Majesty, or be ordered to give security to answer what the law shall adjudge here to petitioner. "Read in Council, 21 Sept. 1677." [*Col. Papers, Vol. XLI., No.* 68.)

Sept. 28. Newmarket.

416. The King to Lord Vaughan, Governor of Jamaica.

Right trusty, &c. Besides the discouragement you put upon our trusty and welbeloved Thomas Martin, Esq., Receiver of the duties and impositions payable unto us within our island of Jamaica, by requiring too great a security from him, whereof we take notice in our letter to you of July the 14th last past, we are again informed by the humble petition of the said Thomas Martin that he is not only obstructed by you our Governor there in the execution of the said office, but that he is also cast into prison, and kept there without bail or mainprize, praying us that he may be relieved from those hardships which he now lyes under. We having considered the premises cannot but declare ourselves very much displeased with the manner of the proceding of the Assembly at Jamaica in fining and imprisoning the said Thomas Martin, and with you also in permitting them to do so towards an officer so qualified by our great seal. We do therefore require that he be forthwith discharged of his imprisonment, and also of the fine imposed on him by the said Assembly, of which Our command all Our officers and ministers there whom it may concern are to take notice and yield obedience thereunto; and from you We expect a further account touching the extraordinary proceeding of this whole affair. And so we bid you farewell, &c. *Countersigned by* Secretary Coventry.

[*Col. Entry Bk., Vol., CX., p.* 116.]

Sept. 29. Newmarket.

417. The King to Sir Jonathan Atkins, Governor of Barbadoes. Complaint has been made to His Majesty by petition of Richard Payne, Escheator of Barbadoes, that according to the duty of his office he caused a jury to be summoned to inquire into the estate of James Defield, an alien, John Donnell (*sic*), and Anne, his sister, dying without heirs, and Francis Adgate, that hanged himself, whose estates are escheated to the Crown, by virtue of several offices thereupon found, and several negro slaves of said Defield, were seized to the King's use, but that this Payne's diligence in His Majesty's service hath met with very severe usage from Samuel Farmer, Judge of the Common Pleas of St. Michael's, who caused petitioner to be closely imprisoned on account of Colonel Henry Walrond pretending a right to Defield's estate, as in said petition herewith sent is more at large expressed. If the matter be as alleged His Majesty cannot but think it a huge piece of injustice, besides the invasion of his right and contempt of his authority. But that His Majesty may be better informed, has thought fit to require Governor Atkins to examine petitioner's complaint, and with all speed report to the King in Council, as well how he finds the same in its several particulars, as also how the law of Barbadoes stands in petitioner's case, that when His Majesty hath considered same, he may give further

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order therein agreeable to justice. [*Col. Entry Bk., Vol. CX., p.* 117.]

Sept. 30. Tobago. **418.** The conditions of the Dutch for the encouragement of the planting of Tobago. "From Sir Jonathan Atkins, 20 Dec. 1677." 2 *pp.* [*Col. Papers, Vol. XLI., No.* 69.]

Oct. 1. **419.** Testimonials signed by Sir John Berry and Colonel Francis Moryson as to the characters of Captains Thomas Gardner of the ship Adam and Eve, Larrimore of the Rebecca, John Consett of the Mary, Morris of the Young Prince, and Nicholas Prynne of the Richard and Elizabeth, together with account of their respective services to His Majesty in the time of the late rebellion in Virginia. *With certificate that this is a true copy of the original remaining in Mr. Secretary Coventry's Office.* 2 *pp.* [*Col. Papers, Vol. XLI., No.* 70.]

Oct 2–3. **420.** Journal of Assembly at Barbadoes. Having sat three several times by adjournment, the Assembly proceeded according to the rules of the House to election of a Speaker, and William Sharpe was chosen. Proposal of Colonel William Bate to lay down his office of Treasurer, but at the request of the House he promised to continue till the last of December.

Oct. 3. Ordered that Richard Seawell be paid 10,260 lbs. of muscovado sugar for so much by him disbursed for the forts at Ostin's Bay as by his accounts rendered. Edwin Stede, Deputy Secretary, informed the House that the Council were willing to join with them in a letter to the Lords of Trade and Plantations if they would leave out the names of Sir Peter Colleton and Colonel Thornburgh. Debate thereon and agreed to substitute "no such persons." Then the letter was transcribed with said alterations and passed by general consent, *see next Abstract.* Adjourned to 11th December 1677. [*Col. Entry Bk., Vol. XIII., pp.* 277–281.]

Oct. 3. Barbadoes. **421.** The Council and Assembly of Barbadoes to the Lords of Trade and Plantations. Governor Sir Jonathan Atkins having communicated to them their Lordship's report in relation to this place, return their hearty thanks for the timely supply of match, but the solicitation of some private persons for fifteen hundred pikes is without the least authority for they would be utterly unserviceable to this island. Pray that no such persons may draw any mischiefs upon them or be heard in their behalf without their particular address to their Lordships or the recommendations of Governor Atkins in whose prudent government they can with all assurance confide. *Signed by* J. Willoughby, Henry Drax, Samuel Farmer, John Peers, Samuel Newton, John Sparke, Simon Lambarde, and John Stanfast of the Council, and William Sharpe, Speaker, of the Assembly. 2 *pp.* [*Col. Papers, Vol. XLI., No.* 71.]

Oct. 8–18. Barbadoes. **422.** Governor Sir Jonathan Atkins to Lords of Trade and Plantations. Very little occurred since his last. They have

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escaped the hurricane this year, to the great encouragement of the people. Sends list of the Assembly as requested who are elected by freeholders of ten acres and upwards, and by law are not to sit above a year, and the Governor and Council when they think fit may call for a new election, cannot declare their estates. It is his duty to tell their Lordships that the 32 queries they sent him from England were made so public by some copies sent hither, "how obtained I cannot well tell," that it hath caused no small disturbance in the minds of these people, and every query in particular after their estate hath created many jealousies amongst them. Sir Thomas Warner, a lawyer, showed the Governor a copy, and said he had instructions to inquire into our forts, magazines, militia, ammunition, arms, strength, and defence of the island, but had no order from their Lordships. Told him he did wisely to forbear, for had he proceeded I would certainly have treated him as a spy. Without a law confirmed by Governor and Council the country will do nothing which Francis Lord Willoughby experienced, who demanded a levy without satisfactory reasons, they refused it, whereupon he dissolved the Assembly, and by an Ordinance raised the tax which the country would never pay, and put him into such a distaste with the people that to this hour his name is odious to them. Condition of Tobago, of sixteen hundred people the Dutch Admiral brought not six hundred left; three hundred of their slaves were burnt when the Dutch ships were burnt. It is a maxim with the planter the Dutch will never hurt them, they having never yet succeeded in any of their plantations. *Encloses,*

422. 1. List of the gentlemen of the Assembly, being the present election for the several parishes in Barbadoes. They were presented to the Governor and Council on 16th May 1677, and their names will be found under that date, *see ante, No.* 252. [*Col. Papers, Vol. XLI., Nos.* 72, 72 I.; *also Col. Entry Bk., Vol. VI., pp.* 202–206.]

Oct. 9. Whitehall. **423.** [Sir Philip Lloyd] to Sir William Jones, Attorney-General. The Lords of Trade and Plantations have agreed upon several amendments and alterations in the laws sent from Jamaica, and command him to transmit same with said laws, to put them into a legal form, and return them to their Lordships with anything that may occur to him fit to be offered, if there be any difficulty he cannot overcome to resort to their Lordships for further advice. *Also* Journal of Lords of Trade and Plantations. Being acquainted with Mr. Attorney-General's desires (as below), ordered that a letter be written to him to put his proposals in writing for their Lordships' consideration. 1677, Oct. 18. *Also* "Mr. Attorney-General's proposals concerning the laws." The alterations which I desire Mr. Blathwayt may make in the laws of Jamaica, according to the Lords' directions, are only such as require writing and no skill. To change the style of the law and the limitation of the penalty, cancel those laws wholly left out, and where *ipsissima verba* to be added or altered, which will save him much time, and then he will read over the whole to see they are right. *Signed*

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W. Jones. "Read 1677, Oct. 19." [*Col. Papers, Vol. XLI., No.* 73; *and Col. Entry Bks., Vol. XXIX., p.* 143, *and Vol. CV., pp.* 135, 136.]

Oct. 9. **424.** Petition of Sarah Drummond, wife and relict of William Drummond, late inhabitant in Virginia, to the Lords of Trade and Plantations. Describes the treatment her husband met with from Governor Berkeley after the late rebellion, by whose order he was hurried away to execution four hours after sentence. How she was forced to fly from her habitation with her five children and wander in the desert and woods, her estate being seized and embezzled until the arrival of His Majesty's Commissioners, when petitioner was reinvested with the small remainder. Prays, forasmuch as her husband was sentenced, condemned, and executed contrary to law, and that if he had been culpable His Majesty had pardoned him amongst many others, for His Majesty's order to restore and confirm to her and her children her said husband's small estate, and that the security she has given may be cancelled. "Read 9 Oct. 1677." 1 *p.* [*Col. Papers Vol. XLI., No.* 74; *also Col. Entry Bk., Vol. LXXX., pp.* 186–188].

Oct. 9. Whitehall. **425.** Journal of the Lords of Trade and Plantations. Ordered that copy of the Governor of Jamaica's late Commission and Instructions be sent to the Lord Chacellor who has promised to frame and to offer something which may be convenient for the Civil Government. That what Mr. Secretary Coventry writ by Colonel Parks for putting off the Assembly be lodged with these papers, as also the Narrative and all other papers given in by Sir John Berry and Colonel Moryson, the late Commissioners in Virginia, and particularly the Proclamation which first issued. The whole matter to be resumed on Tuesday when Mr. Secretary Coventry comes to town, when said Commissioners and the merchants are to attend that they may have the Articles of Peace read which have been made with the Indian Princes there, and Lord Culpeper is to be advised of this meeting.

Petition of the widow Drummond read and the whole case attested to be true and as deplorable by Sir John Berry and Colonel Moryson. Their Lordships agree that the estates of those who die by martial law do not escheat but descend to their heirs, and therefore they will report that 'tis but just His Majesty command Lieutenant-Governor Jeffreys and his Council not only to quiet petitioner in all she hath, but to recover for her the rest of her property. Reasons for not cancelling the security already taken and for taking further security. Their Lordships of opinion that the Act of Attainder should be repealed, and as much reparation ordered as the condition of things will allow, observing that the Act was made to justify and indemnify Sir William Berkeley more than anything else, yet that he made use of it to all excesses. Mr. Attorney must consider how to model an Act for indemnities and reparation suitable to the Government there. [*Col. Entry Bk., Vol. CV., pp.* 128–130.]

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Oct. 10. **426.** Report of [the Lords of Trade and Plantations] to the King on above. On the petition of Sarah Drummond, relict of William Drummond late of Virginia, who was tried and sentenced to death by Governor Berkeley although he never bore arms or any military office, and was executed four hours after, praying to be restored to her husband's estates. Having discoursed with Sir John Berry and Colonel Moryson and finding the case in all the parts thereof to be very deplorable, that Lieutenant-Governor Jeffreys and the Council of Virginia be required to give all sort of assistance for quieting the petitioner in the possession of all she hath. *Signed by* Finch, C., (Lord Chancellor) Craven, and J. Williamson. *Endorsed,* "Read in Council and confirmed Oct. 20th 1677." *Also* Order of the King in Council approving said Report of Lords of Trade and Plantations on petition of Sarah Drummond, and directing letters to be prepared for His Majesty's signature to Lieutenant-Governor Jeffreys accordingly. Whitehall, 1677, Oct. 19. [*Col. Papers, Vol. XLI., No.* 75; *also Col. Entry Bk., Vol. LXXX., pp.* 188–191.]

Oct. 10. **427.** Second petition of Sarah Drummond, relict and administratrix of William Drummond, late of Virginia, deceased, to Lords of Trade and Plantations. That she has already remonstrated against the barbarous and inhuman execution of her husband by order of Sir William Berkeley and the seizure of his estate, and their Lordships recommended petitioner's case to His Majesty's grace and favour. Prays that Sir John Berry, who hath very honourably promised to restore what was seized by the late Commissioners in Virginia, or the prime cost thereof, may be required and authorized to do so. *Annexed,*

427. I. Journal of Lords of Trade and Plantations in reference to above petition of Sarah Drummond for several parcels of goods remaining in the hands of Sir John Berry who is directed to give an account thereof. Whitehall, 1677, Oct. 10.

427. II. Sir Robert Southwell to Sir John Berry. Encloses Sarah Drummond's petition to the Lords of Trade and Plantations who desire he would let their Lordships know how that matter stands. Spring Garden, 1677, Oct. 13.

427. III. Sir John Berry to Sir Robert Southwell. In reference to the disposal of the goods seized by him as Commander of His Majesty's ships in Virginia and Sarah Drummond's pretensions thereto. 1677, Oct. 17.

427. IV. Minute of a meeting of the Lords Commissioners of the Admiralty in reference to a parcel of wines seized by Sir John Berry for His Majesty's service. [*Col. Papers, Vol. XLI., Nos.* 76, 76 I.; *also Col. Entry Bks., Vol. LXXX., pp.* 192–196, *and Vol. CV., p.* 130.]

Oct. 10. **428.** John Leverett, Governor of His Majesty's Colony of the Massachusetts by order and with consent of the General Court, to the King. Acknowledges His Majesty's grace and favour to the

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gentlemen our messengers sent with our last address, whereby the false clamours which have been laid before His Majesty against us have been repelled. 1 *p.* [*Col. Papers, Vol. XLI., No.* 77.]

Oct. 10. Boston. **429.** Proclamation of the General Court at Boston. Appointing 15th November to be kept as a day of thanksgiving to God for giving peace in a great measure, a rich blessing on the fruits of the earth, preventing the spread of infectious diseases; and granting them favour in the eyes of the King. All servile labour prohibited on that day, and the Churches ministers and people enjoined to keep it solemnly and seriously. *Printed.* 1 *p.* [*Col. Papers, Vol. XLI., No.* 78.]

Oct. 10. [Virginia.] **430.** Twelve Acts passed at a Grand Assembly begun at Middle Plantation at the house of Captain Otho. Thorp, 10th October 1677. [*Col. Entry Bks., Vol. LXXXVIII., pp.* 96–101, *and Vols. LXXXIX., XC., XCI.*]

Oct. 12. Barbadoes. **431.** The Assembly of Barbadoes to Sir Robert Southwell. Encloses by command of the Governor letter of thanks of the Council and Assembly to the Lords of Trade and Plantations for procuring a supply of match out of His Majesty's stores for this island. *Encloses,*

431. I. Council and Assembly of Barbadoes to the Lords of Trade and Plantations. Hearty thanks for supply of match, but as to the solicitation of private persons for the supply of 1,500 pikes, it was without the least authority or direction from this place, for had they come they would have proved utterly unserviceable. To avoid the like inconveniency in future pray that no such persons be heard without their own particular address to their Lordships or the Governor's recommendation in whom with full experience of his most prudent government they can with all assurance confide. "Read 15 Jan. 1677–8." [*Col. Entry Bk., Vol. VI., pp.* 207–208.]

Oct. 15. **432.** A list of Papers now and formerly delivered to Secretary Coventry. A book containing a General Narrative of the late Rebellion in Virginia. A Breviary of that, an account how we found the condition of the country, how we left it, and what means we humbly conceived would best conduce to the settling the future peace of it, also a particular answer to our instruction. The Articles of Peace with the neighbour Indians in Virginia. A Repertory of the County and Personal Grievances with a list of the loyal sufferers in Virginia. Colonel Claiborne's Petition and a bundle of papers relating to the Isle of Kent, part of Lord Baltimore's Province. *See ante, Nos.* 86, 86 I.–XIX. [*Col. Entry Bk., Vol. LXXXI., p.* 290.]

Oct. 15. **433.** The Heads of such Papers as are contained in a manuscript intituled—A Particular Account how we your Majesty's Com-

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missioners for the affairs of Virginia have observed and complied with our Instructions subscribed by Sir John Berry and Colonel Francis Moryson. 1. Instructions and Answers. 2. A true narrative of the rise, progress, and cessation of the late rebellion in Virginia; the "inforted" Indians reported not to exceed 100 fighting men; Citterborne parish grievances; Gloster and Charles City County grievances. A character of the rebel Bacon; Bacon takes the oath of allegiance and supremacy and enjoins the soldiers to do the like. An oath of Bacon's taken by his soldiers. Bacon's speech to his soldiers. The Indian war recoils upon the country in an intestine rebellion. Bacon comes down to Gloster. Bacon's force upon the people. A ship and soldiers sent to seize the Governor at Accomack. Bacon's second march against the Indians. Bacon had caused a party of his own electing to convene for the carrying on his designs. Speech of Bacon when he was out on the Indian march upon sending in some of his sick and tired soldiers before him. By the Queen's own account only eight of her Indians killed, saying she would not tell a lie to mention more than indeed were, though Bacon bragged of many more to deceive the people with a mighty conquest. The Indian prisoners were some of them sold by Bacon and the rest disposed of by Sir William Berkeley, all but five which were restored to the Queen by Ingram who was Bacon's general. The Queen of Pamunkey flies for her life and is lost fourteen days and almost starved in the woods. The Governor returns to James Town. Speech of Bacon to his soldiers going to James Town against the Governor. The siege of James Town. Note that Bacon's men had marched that day between thirty and forty men to James Town. The provisions raised by Act of Assembly to supply the Indian war are by the Governor's party forcibly taken away to maintain a civil war against the givers of it. Bacon's letter from the camp. Bacon's oath of fidelity; one shot to death by Bacon for flying from his colours. Bland, Carver, and Farlow executed two days before our arrival by Martial law, but Bland upon the commission of Oyer and Terminer. Bacon's death and disease. The Assembly observing the late rebellion to be set on foot by new comers have now enacted that no man shall receive advancement till he has been above three years in Virginia, Bacon being preferred to a Councillorship at his very first coming over. The rebellion suppressed and the Governor's return to Green Spring. 3. A review breviary and conclusion (*see No.* 438). It is said by some that there was a paper publicly read to the people that the Governor designed only to raise a party to go out against the Indians and not against Bacon and offered their estates and an oath to bind this pretension to the people. 4. A faithful account in what condition they found Virginia (*see No.* 439). 5 *pp.* [*Col. Papers, Vol. XLI., No.* 79.]

Oct. 15. **434.** An exact repertory of the general and personal grievances presented to us, His Majesty's Commissioners, by the people of Virginia, to which we have hereto annexed our most humble opinions, remarks, report, and observations with reference to the

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grievances themselves, as the same are also herewith presented at large in their own words and subscribed with the inhabitants own hands, as also the particular petitions and proofs of sundry persons which for ease and method sake are here briefly recited and most humbly presented 15th October 1677 as follow:—James City County grievances. Rappahanock County, Citternborne Parish in Rappahanock County; Stafford County, Surrey County, Westmorland County, Northampton County, Accomack County, Lancaster County, Warwick County, Isle of Wight County, New Kent County, Elizabeth City County, Henrico County, York County, Gloucester County, Lower Norfolk County, and Nancymond County. *Signed by* Sir John Berry and Colonel Francis Moryson [*See the original papers abstracted ante, Nos.* 116–141.] [*Col. Entry Bk., Vol. LXXXI., pp.* 291–333.]

Oct. **435.** Personal grievances of divers inhabitants within His Majesty's Colony of Virginia proved before us, His Majesty's Commissioners, by oath, all of which we do herewith, according to their own desires, most humbly present in their own words as we received the same, and do give this short abstract with our observations and opinion. The names of the petitioners are Alexander Walker, Henry Jenkins, Otho Thorp, Thomas Grendon, Thomas and William Dudley, John Page in behalf of John Jeffreyes, Anne widow of William Hunt, Nicholas Prynne, Thomas Palmer, Sandes Knowles, William Howard, John Deane, John Williams, Thomas Bobby, Nicholas Toope, John Johnson and James Barrow, William Hoare, Edward Lloyd, Thomas Glover, Andrew Godean, William Rowland, Thomas Lushington, Richard Clarke, George Seaton, and Sandes Knowles. "There are also other sufferers whose complaints are not as yet given in, which at present cannot be presented by us, John Berry, Francis Moryson." *The originals of most of these petitions will be found abstracted ante, Nos.* 143–165. [*Col Entry Bk., Vol. LXXXI., pp.* 337–352.]

Oct. 15. **436.** List of the names of those worthy persons whose services and sufferings by the late rebel Nathaniel Bacon, junior, and his party have been reported to us (His Majesty's Commissioners) most signal and eminent during the late unhappy troubles in Virginia, and particularly of such whose approved loyalty, constancy, and courage hath rendered them most deserving of His Majesty's remark. This list is headed by Sir William Berkeley, then follow Sir Henry Chicheley, Colonel Nathaniel Bacon, Colonel Philip Ludwell, Colonel Augustine Warner, Thomas Ludwell, and upwards of forty others, and to each name the Commissioners have added some account of their services, character, and sufferings. The two last on the list are "the good Queen of Pamunkey," to whom it is recommended a present of small price should be sent, and Major Robert Bruton, a gentleman of good estate and an eminent sufferer. *Signed by* Sir John Berry and Colonel Francis Moryson. [*Col. Entry Bk., Vol. LXXXI., pp.* 353–357.]

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Oct. 15. **437.** A particular account how we your Majesty's Commissioners for the affairs of Virginia have observed and comply'd with our Instructions. On one column are the King's Instructions to Herbert Jeffreys, Sir John Berry, and Francis Moryson, dated 9th November 1676, and on the opposite column the answer of His Majesty's Commissioners how they have acted by and performed said Instructions. *Signed by* Sir John Berry and Colonel Francis Moryson. [*Col. Entry Bk., Vol. LXXXI., pp.* 365-367.]

Oct. ? **438.** A Review, Breviary, and Conclusion drawn from the foregoing Narrative, being a summary account of the late Rebellion in Virginia, the first occasion of the late commotions, followed by a short diary of events from 30th April 1676 to 22nd January 1677. 1676, Oct. 26.—Bacon having lain some time sick of a bloody flux dies at Mr. Pate's house in Gloucester county; after his death the rebel party were headed by Lawrence Ingram and Walklate. 1677, Jan. 22.—Governor Berkeley returns to his own house at Green Spring, which was not above a week before our arrival. *Signed by* Herbert Jeffreys, Sir John Berry, and Francis Moryson. [*Col. Entry Bk., Vol. LXXXI., pp.* 411-419.]

Oct. ? **439.** A true and faithful Account in what condition we found your Majesty's Colony of Virginia. Of our transactings during our stay there, and how we left it, together with our most humble opinion what means will best conduce to the firm grounding and securing the future peace thereof. In the handwriting of Samuel Wiseman, Clerk to His Majesty's Commissioners. *Signed by* Sir John Berry and Colonel Francis Moryson. [*Col. Entry Bk., Vol. LXXXI., pp.* 423-427.]

Oct. ? **440.** List of Bonds taken to the King's use for securing Delinquents' Estates till His Majesty's pleasure be known. With receipt signed by Thomas Ludwell for the above-mentioned bonds, being fifteen in number. [*Col. Entry Bk., Vol. LXXXI., pp.* 497, 498.]

Oct. 18. [Read.] **441.** Petition of John Jeffreys to the Lords of Trade and Plantations. That Governor Berkeley by virtue of an Order impressed for His Majesty's service twenty pipes of Fayal wines belonging to petitioner at James Town, Virginia, which were delivered at 8*l.* sterling per pipe. Petitioner lost above sixty-three pipes by the rebels burning the town, and the Assembly will only allow but half pay for 18 pipes, alleging they were taken from town, disposed on the public account, and so saved from the fire. Prays that he may receive the full rate of 8*l.* per pipe out of the public money of the county here (in England). *Annexed,*

441. I. Report of the Lords of Trade and Plantations to the King. That after conference with Sir John Berry and Colonel Moryson, they conceive petitioner deserves His Majesty's justice for his whole debt, which they recommend Gawen Corbin, in whose hands is a sum of money raised

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by the Assembly of Virginia, be ordered to pay. *Signed by* Finch, C[hancellor] Anglesey, G. Carteret, J. Williamson, J. Ernle, Thomas Dolman. *Endorsed*, "Read in Council Oct. 24 1677. Approved." Council Chamber, 1677, Oct. 22.

441. II. Petition of John Page in behalf of John Jeffreys to His Majesty's Commissioners for grievances. For payment of twenty pipes of wine ordered by Sir W. Berkeley for His Majesty's service at the rate of 8*l.* per pipe. With Order of Assembly, 20th February 1677, and Opinion of the Commissioners referring same to His Majesty's consideration and justice. 1677, March 10. [*Col. Papers, Vol. XLI., No.* 80, 80 I., II.; *and Col. Entry Bk., Vol. LXXX., pp.* 202-205.]

Oct. 18. Whitehall. **442.** Journal of the Lords of Trade and Plantations. The Articles of Peace made on 29th May last between Lieutenant-Governor Jeffreys and the Indian Princes read, Sir John Berry and Colonel Moryson with several merchants and planters being present. Debate concerning the boundaries settled by this Peace and limitation of three miles, which distance from the Indian towns the English are to keep in their settlements. The Treaty to be printed and copies sent to Virginia after certain amendments are made. Colonel Moryson remarks on the advantage and security to the inhabitants of Virginia by restraining settlements to a lesser compass, it being certain that all the planters are not so many as the inhabitants of Stepney parish, and yet have taken up as much land as all England. In answer to Lord Culpeper it is agreed that the Indians ought to receive the same measure of justice from the English as the English by law expect from them. [*Col. Entry Bk., Vol. CV., p.* 130, 131.]

Oct. 18. Whitehall. **443.** Journal of the Lords of Trade and Plantations. Petition of Alderman Jeffreys read (*see ante, No.* 441), also Order of the Assembly of Virginia, dated 20th February 1677. Agreed to report to His Majesty the injustice done to the petitioner by the Assembly (who deserve censure for the same) and that therefore an Order be passed for petitioner's entire satisfaction at 8*l.* per pipe to be paid out of the stock of money raised by the Assembly of Virginia now remaining in the hands of Gawen Corbin. In reference to Sir John Berry's account of goods belonging to widow Drummond's husband, their Lordships not being fully satisfied concerning this matter order an authentic copy of an Admiralty Minute thereon to be written for, with the names of the Lords then present. [*Col. Entry Bk., Vol. CV., pp.* 132, 133.]

Oct. 19. Council Chamber, Whitehall. **444.** Report of the Lords of Trade and Plantations to the King. That the Articles of Peace made between the Lieutenant Governor of Virginia and the Indian Princes their neighbours, namely, the Queen of Pamunkey, the King of the Nottoways, John West, son to the Queen of Pamunkey, the Queen of Raonoke, and

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the King of the Nancymond Indians be printed and copies sent to Virginia for the better publication and observance thereof. *Signed by* Anglesey, Essex, Craven, and Williamson. *Endorsed*, "Read in Council Oct. 20th 1677 and ordered." 2 *pp.* [*Col. Papers, Vol. XLI., No.* 81.]

Oct. 19. Whitehall. **445.** Order in Council for printing the Articles of Peace lately made between His Majesty's Lieutenant Governor of Virginia and several Indian Princes in those parts. *Mem.*—That this report was made on the 19th and approved in Council, and ordered that the treaty be sent to Mr. Secretary Coventry to be printed. [*Col. Papers, Vol. XLI., No.* 82; *and Col. Entry Bks., Vol. LXXX., pp.* 198–200.]

Oct. 20. Jamaica. **446.** Governor Lord Vaughan to Secretary Sir Joseph Williamson. About a fortnight since received two letters from His Majesty, one to admit John Ball to the Council, which he accordingly did, the other to permit Spanish vessels to buy blacks here, and not be imposed upon by any extraordinary duties (*see ante, Nos.* 235, 253). Has used two Spanish ships since put into this port with all kindness and friendship, and believes it will prove of infinite advantage to the Royal Company and this place. "Rec. 3 Jan. 1678." 1 *p.* [*Col. Papers, Vol. XLI., No.* 83.]

Oct. 20. **447.** Order of a Grand Assembly begun at Middle Plantation at the house of Captain Otho Thorp, in reference to a petition of Captain Nathaniel Bacon and the rest of the owners of the ship. Planters adventure to be freed from paying the import of 2*s.* per hogshead and Castle duties, as by Act of Assembly lately repealed, which law they pray may not be construed to look backward. To be allowed that privilege so long as said ship shall wholly belong to Virginia owners. 1 *p.* [*Col. Papers, Vol. XLI., No.* 84.]

Oct. 22. **448.** The King to the Lieutenant Governor and Council of Virginia. Recites the report of the Lords of Trade and Plantations on petition of Richard Booth and others in reference to the seizure by Sir William Berkeley of goods on board the Richard and Elizabeth, Nicholas Pryn, Commander, upon supposition that they belonged to William Hunt their Agent in Virginia, to whom the whole were consigned, and that he was concerned in the rebellion there. That said goods be delivered to said petitioners or their agents wherever they may be found in specie, and in case embezzled or disposed of that they may be assisted by all lawful means in the recovery of them. [*Col. Entry Bk., Vol. XCV., pp.* 216, 217.]

Oct. 22. **449.** The King to the Lieutenant Governor and Council of Virginia. Recites the Report of the Committee of Trade and Plantations on petition of Sarah Drummond, relict of William Drummond, late an inhabitant of Virginia, who was after the late rebellion there taken, stript, and brought before Governor Berkeley,

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and by him immediately sentenced to die by martial law, although he never bore arms, and his small plantation seized, directing them to give all sort of assistance for the quieting of said Sarah Drummond in the possession of all she hath, as also in the recovery of what she is not hitherto restored unto, or the value thereof, in whose hands soever the same may be found, but that she give full security for the same until His Majesty's final determinations upon the whole matter. [*Col. Entry Bk., Vol. XCV., pp.* 217, 218.]

Oct. 22. Whitehall. **450.** The King to Governor Stapleton and the Council of the Leeward Islands. At the request of Captain Garrett Cotter, who by letters patent of 9th March 1677 the King appointed Secretary and Marshal of the islands of Nevis, St. Christopher's, Antigua, and Montserrat, His Majesty recommends him most effectually for all just assistance in the execution of his said office. [*Col. Entry Bk., Vol. XCIII., p.* 155.]

Oct. 22. **451.** *Mem.*—The Lord Privy Seal is desired by the Lords of Trade and Plantations to move His Majesty in Council that certain Commissions for taking the oaths of the Governors of Barbadoes, the Leeward Islands, and Deputy Governors be approved and ordered to be dispatched. The Form of Oath to be taken by the respective Governors and Commanders of His Majesty's Plantations. *Also* Commission for giving the oaths to the Governors, and Order of the King in Council approving Form of Oath which is to be annexed to said Commission. *Two papers.* [*Col. Papers, Vol. XLI., Nos.* 85, 86; *also Col. Entry Bks., Vol. XCVII., pp.* 49–54, *and Vol. CV. pp.* 135, 136.]

Oct. 22. **452.** License from the Lords Proprietors of Carolina to Solomon Blackleech, Master of the James frigate, to trade from Ashley river with the Spaniards or any Indians dwelling near or amongst them or any where upon the coast south of them or upon the cape of Florida, and the Governor, Council and officers there are recommended to assist and treat said master with all justice, civility, and respect. [*Col. Entry Bk., Vol. XX., p.* 130.]

Oct. 23. **453.** Representation of the House of Burgesses to Herbert Jeffreys, Governor of Virginia. Complain of a Warrant of the Commissioners for Virginia of 19th April last, by which all their original Journals, Orders, Acts, Laws, and Proceedings which concerned the Assembly begun at Green Spring 20th February last, and also those relating to the Assemblies, were forced from their Clerk Beverley and kept in March and June 1676 in the hands of said Commissioners for several months as a great violation of their privileges, and inasmuch as said Commission was never published desire that they may have a view of the same. [*Col. Papers, Vol. XLI., No.* 87.]

Oct. 24. **454.** Order of the King in Council. Approving Draft of Commissions for the Governors of the Plantations to take the oaths

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and directing the Attorney or Solicitor General to prepare Warrants for His Majesty's signature in order to the passing said Commissions under the Great Seal. 1 *p.* [*Col. Papers, Vol. XLI., No.* 88.]

Oct. 24. **455.** Order of the King in Council on Report of the Lords of Trade and Plantations of 22nd October. On petition of John Jeffreys, directing the payment by Gawin Corbin of 160*l.* to petitioner in accordance with the prayer of his petition. *Draft* signed by Philip Lloyd. 1 *p.* [*Col. Papers, Vol. XLI., No.* 89; *also Col. Entry Bk., Vol. LXXX., pp.* 206–208.]

Oct. 24. Boston. **456.** Governor Leverett "with the consent of the General Court of the Massachusetts," to Secretary Sir Joseph Williamson. He has laid them under a most deep obligation for his most friendly and christian readiness to promote the equity and righteousness of their cause, when they were almost sacrificed to the private interests and designs of some that made it their work to clamour and falsely represent them to His Majesty. Acknowledges his great candour and moderation towards them. 1 *p.* [*Col. Papers, Vol. XLI., No.* 90.]

Oct. 25. Whitehall. **457.** Journal of the Lords of Trade and Plantations. That Lord Berkeley has permission to send his secretary to the office of Plantations to peruse and take copies of papers relating to Virginia wherein the late Sir William Berkeley is concerned.

The Earl of Carlisle proposes several considerations concerning Jamaica, whereupon their Lordships declare their opinion that no escheat, fine, forfeiture, levy of money, or any tax be applied to the public use of the island. That the Governor may suspend any member of the Council without consent of the Council, which is required in Lord Vaughan's Commission. That the names of the Council be named in the Governor's instructions, but not in his Commission. That a displaced Councillor be not permitted in the Assembly. That no Legislative Assembly be called without the King's special leave, and that no proclamation touching the laws in England be made. The prices of commodities imported and exported from the Plantations to be regulated for prevention of monopolies, which occasion so much disadvantage to the planters and to the trade of the nation in general. On reading again the petition of Widow Drummond, and considering a minute of the Board of Admiralty wherein His Majesty grants the wines to Sir John Berry, it is thought fit that petitioner represent her case by petition unto His Majesty in Council. [*Col. Entry Bk., Vol. CV., pp.* 137–139.]

Oct. 25. St. Christopher's. **458.** Certificate of Abednego Mathew, Deputy Governor of St. Christopher's. That Sergeant Joseph Potterton has delivered fifty-seven soldiers to the Deputy Governor, and "hath merited a good repute, and according to my judgment is very worthy thereof." [*Col. Entry Bk., Vol. XLVI., p.* 259.]

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Oct. 26. London. **459.** Sir John Berry to [the Secretary to the Lords of Trade and Plantations]. Is taken ill on his way to attend their Lordships on Mrs. Drummond's business. All he desires is that the widow may receive what of right appertains to her, and himself no prejudice in relation to the wines and brandies expended in his public employment at Virginia. 1 *p.* [*Col. Papers, Vol. XLI., No.* 91.]

Oct. 26. Boston. **460.** Order of the General Court held at Boston. That the Acts of Trade and Navigation be strictly observed. Also an Act made at Boston by the General Court in 1663 to the same effect. 2 *pp.* [*Col. Papers, Vol. XLI., No.* 92.]

Oct. 28. Whitehall. **461.** Journal of Lords of Trade and Plantations. Their Lordships inquire into the last despatches of the Leeward Isles upon occasion of the attendance of Colonel (Edmund) Stapleton, who is going to Nevis within two days, and the letter sent to Colonel William Stapleton, the Governor-in-Chief, dated 10th September last, is read; after which ordered that care be taken for sending the three hundred malefactors to St. Christopher's, as also for the despatch of other matters ordered in Council.

Having debated several points in relation to the government of Jamaica and Lord Carlisle's Commission, their Lordships do not now come to any resolution, but notice that Sir Thomas Lynch transmitted a law for raising a public revenue without any limitation of time, it is thought fit that Mr. Attorney and Solicitor General give their opinions whether His Majesty may not at any time give his assent to that law to make it perpetual, as it is necessary such a law be settled in Jamaica. Further consideration to be had of this matter.

Agreed to meet to-morrow at nine o'clock on the business of Mr. Martin and Sir Henry Morgan, and on Thursday to consider the laws of Jamaica, and despatch Lord Carlisle, when Mr. Attorney and Solicitor General are to attend and the Lord Chancellor is particularly desired to be present. To consider whether the map of Jamaica transmitted by Lord Vaughan be made public by print or be kept private.

Oct. 29. The business of Sir Henry Morgan and Colonel Byndlosse as they stand accused by Lord Vaughan for corresponding with privateers taken into consideration. Abstract of the articles against them read, and their Lordships do not come to any resolution until they have proceeded to a further examination of the whole matter.

Petition of Thomas Martin, Receiver in Jamaica, read, praying their Lordships to procure His Majesty's recommendation to the Earl of Carlisle that petitioner may find no obstruction in the execution of his office. Whereupon notice is taken that sufficient orders are already issued from His Majesty to Lord Vaughan for release of petitioner from imprisonment, and his admittance to the due execution of his office. [*Col. Entry Bk., Vol. CV., pp.* 140–142.]

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463. Petition of George Compeare of London, merchant, on behalf of Thomas Martin, to Lords of Trade and Plantations. Recites what has been done on Martin's several petitions, notwithstanding all which he is still detained a close prisoner, as appears by the enclosed. *Encloses*,

463. I. Thomas Martin to his brother. Is still in prison. Has petitioned the Assembly of Jamaica, sends petition, and relates what has taken place thereon. St. Jago prison. 1677, Oct. 20. *Two papers.* [*Col. Papers, Vol. XLI., Nos.* 93, 93 I.]

Oct. 30. Whitehall. **464.** The King to Colonel Stapleton, Governor of the Leeward Islands. Is glad to put him in mind how entirely His Majesty relies on his care and circumspection in whatever may relate to the safety and improvement of the plantations under his government, and how much it is therefore his part to be early and frequent in advertising the Lords of Trade and Plantations and the Secretaries of State whatever he finds of consequence to those ends. He has neighbours that employ all their care and costs for getting more footing in the West Indies, and, if we do not look well about us in time, is afraid how dear it may one time or other cost us. The meaning of this is that our islands and plantations should be put into such a posture as to forts, militia, munition of all sorts as may prevent any surprise at least, if not to put them into a condition to make a just and a solemn defence. [*Col. Entry Bk., Vol. XCIII., p.* 155.]

Oct. **465.** Sir Thomas Lynch's proposals about settling the government of Jamaica. The Governor to have a title answerable to his quality, and no Councillors named in his Commission. It would be hazardous, and exceedingly inconvenient, to remove all the seven Councillors who have affronted and dissented from Lord Vaughan, but the new Governor might have a dormant order to remove the principal, and make him incapable of all other employments and sitting in the Assembly. The Governor to carry over a proclamation that the people shall be governed by the laws of England, and that no man's property shall be taken away but by known laws. This His Majesty has formerly published, and seems particularly needful to be done now for the reasons which are stated at length. That greater authority be given the Governor in the matter of passing laws, and that he be empowered to give the Royal assent to those laws His Majesty has approved of. The Governor to be instructed to apply all the revenue to the uses of the island, and permit the Assembly to name the uses for what they raise. The Act of the revenue being passed there will not need such frequent Assemblies. The Council to govern in the Governor's absence. The present Lieutenant-Governor incapable of such a trust; he is governed by his brother-in-law, Colonel Byndlosse, "a very ill man," many complaints of him before the Lords of the Council. Last Session he struck Lord Vaughan's Secretary, to justify which the

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Lieutenant-Governor and another brother-in-law challenged the Secretary. 3½ *pp.* [*Col. Papers, Vol. XLI., No.* 94.]

[Oct.] **466.** The Form of an Oath to be taken by the respective Governors and Commanders of His Majesty's Plantations amended by the Committee of Trade and Plantations from a previous form of 3rd May 1676. In this oath the statute made in the 12th year is referred to as an Act for the encouraging and increasing of shipping and navigation, and that in the 15th year an Act for the encouragement of trade. [*Col. Entry Bk., Vol. XCVII., p.* 53.]

Nov. 1. Whitehall. **467.** Lords of Trade and Plantations to Colonel William Stapleton. Having on the grounds of his report laid before the King the necessity of sending over six ministers to the Leeward Islands, the Bishop of London was directed to find out persons fitly qualified. Five of them, viz., Messrs. Foster, Jones, Molineux, Davis, and Milward are embarked in the Olive Branch, Captain Giles Lawrence, commander, and the other, Mr. Grief, will follow in a few days in another ship. Recommend them all to his particular favour and respect, and that he dispose the planters and inhabitants to receive them courteously, as they are most likely to do, and from time to time to acquaint the Bishop of London as to the deportment of said persons, and the answering or falling short of those ends for which they are sent over. *Mem.*—This letter was immediately enclosed to Colonel Edmund Stapleton, the Governor's brother, and sent to his lodgings as he had directed. [*Col. Entry Bks., Vol. XLVI., pp.* 252, 253, *and Vol. CV., p.* 143.]

[Nov. 1.] Whitehall. **468.** Petition of Dame Joan Hall, widow and executrix of Colonel Christopher Kaynell, late [Governor] of Antigua, to Lords of Trade and Plantations. Had been in lawful possession of a plantation in that island called Berryes Hope above 14 years, when the French in 1667 invaded it. That she was forced to transport herself and children to Nevis, leaving her whole stock and about three score negroes, which were taken by the French. That on the island being reduced to His Majesty's obedience in May 1668, petitioner returned to Antigua, and had quiet possession of her plantation for some time until William Lord Willoughby assigned it to Colonel Codrington, who has ever since detained the same, but it is now offered for sale. Prays their Lordships to intercede with His Majesty on her behalf that such orders may be given that petitioner and children may be restored to their just rights.

Whereupon their Lordships order that, because no certificate appears to make out the truth of the allegations, Colonel Stapleton, Governor of the Leeward Isles, be written to to inquire into the true state of the case and occasion of this assignment made by Lord Willoughby, and return answer with all convenient speed. *See* 9 *Jan.* 1678, *Colonel Christopher Kaynell was Governor of Antiguai n* 1656, *see first Volume of this Calendar.* [*Col. Papers, Vol. XLI., No.* 95; *and Col. Entry Bks., Vol. XLVI., pp.* 256, 257, *Vol. CV., and pp.* 143, 144.]

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[Nov. 2.] **469.** Petition of Sarah Drummond to the King in Council. That Sir John Berry may be authorized to restore petitioner's goods seized by him in Virginia, which he promises to do if he may be ordered. [*Col. Papers, Vol. XLI., No.* 96.]

Nov. 2. Whitehall. **470.** Order of the King in Council. On petition of Sarah Drummond authorizing and requiring Sir John Berry to cause the petitioner's plate, clothes, and goods to him seized and remaining unsold, also the product of other goods disposed of, together with the papers and protested Bills of Exchange to be forthwith restored to her. As to the wines and brandy their Lordships will report the state thereof to His Majesty. [*Col. Entry Bk., Vol. LXXX., pp.* 196, 197.]

Nov. 6. **471.** Petition of Richard Carver, son and heir of William Carver, late of Lower Norfolk County in Virginia, to the Lords of Trade and Plantations. That the late William Carver, under colour of the late rebellion, was executed by martial law, and all his property seized till His Majesty's pleasure be known. Prays that the Lieutenant-Governor and Council of Virginia have orders to give petitioner as heir assistance in recovering his father's and his own estates. *Two Petitions and three depositions on oath. 4 pp.* [*Col. Papers, Vol. XLI., Nos.* 97–101.]

Nov. 6. Whitehall. **472.** Journal of the Lords of Trade and Plantations. That the petition of Richard Carver is received, and John Warner sworn to a paper in his behalf. [*Col. Entry Bk., Vol. CV., p.* 144.]

Nov. 8. Whitehall. **473.** Journal of the Lords of Trade and Plantations. The depositions of Lucy Bower and Mary Dannel in the case of Richard Carver are taken, and petition of Carver read. Their Lordships of opinion he ought to make a legal proof that he is the true son and heir, after which he may have recourse to His Majesty's grace and favour for the recovery of his estate. Sir John Berry declares William Carver to have been a principal actor in the rebellion, and to have endeavoured the surprizal of Governor Berkeley at Accomack, in which expedition he was taken and soon after executed. After which His Majesty's proclamation of 27th October 1676 is read, also an Act of Indemnity made in Virginia 29th February last, wherein amongst others said Carver is excepted, together with an Act of Attainder of 20th February, in which Carver and others are attainted of high treason, and their estates forfeited to His Majesty. Debate whether same be taken off as was resolved 9th October last to be further considered.

Sir Jonathan Atkins' letter of 13th May last (*see ante, No.* 241), touching a trade for negroes with the Spaniards, read 17th July last, again read, also the Answer of the Royal African Company to a copy of same, together with a letter to Mr. Solicitor-General, and his opinion on the legality of such a trade. After which their Lordships leave the matter unto further consideration. [*Col. Entry Bk., Vol. CV., pp.* 146–148.]

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[Nov. 10.] **474.** Memorial of the Earl of Carlisle to the Lords of Trade and Plantations of several heads concerning Jamaica, with their Lordships' opinions thereon. To raise money in the King's name for the use of the island. For the better government of the Council, that their names be left out of the Governor's commission, and their election depend upon the Governor as in the time of Sir Thomas Modyford and Sir Thomas Lynch. That proclamation be issued for securing to the inhabitants laws conformable to those in England. The logwood trade to be adjusted. The Governor to grant let passes for 21 years of the Mines Royal, reserving a tenth to the King. And that a Mint be allowed or bullion from Jamaica coined in England with a particular mark. "Read 10 Nov. 1677." [*Col. Papers, Vol. XLI., No.* 102, *and Col. Entry Bks., Vol. XXIX., pp.* 158–160, *and Vol. CV., pp.* 152, 153.]

[Nov. 10.] **475.** Memorandum by the Bishop of London. That in Jamaica are 15 parishes, six churches, and three ministers. By an Act St. Jago is obliged to give 130*l.* per annum to support their minister, at Port Royal 200*l.* per annum, and every parish else in the island 100*l.* per annum. Proposes, being ordinary of the place, that, in case he sends ministers over, none without his license be received, and that those he sends over with licenses be not rejected without sufficient cause alleged, and that they admit their ministers to be of their vestries. *In Blathwayt's hand.* To be made part of the Governor's instructions. *Endorsed,* "Jan^{y} 1677. Mem. from my Lord Bishop of London when the Jamaica laws come on. Read and considered at the Committee 10 Nov. 1677."

Journal of Lords of Trade and Plantations. In relation to the law for the maintenance of the ministry, all the particulars in the Bishop of London's Memorandum their Lordships think very necessary to be observed, and are of opinion they ought to make part of the Governor's instructions. [*Col. Papers, Vol. XLI., No.* 103, *and Col. Entry Bks., Vol. XXIX., pp.* 157, 158, *and Vol. CV., p.* 151.]

476. Memorandum. That the Lord Privy Seal is desired by the Lords of Trade and Plantations to represent to His Majesty that, having considered several laws made in Jamaica 6th September 1677, their Lordships do not find any matter of moment not already contained in the laws which are now passing the Great Seal except an Act for confirmation of pious, charitable, and public gifts and grants, which, after some amendment their Lordships offer to His Majesty, may likewise pass under the Great Seal. 1 *p.* [*Col. Papers, Vol. XLI., No.* 104.]

Nov. 10. **477.** Minutes of the Council of Jamaica. Ordered that warrant be issued to the Treasurer for payment of 600*l.* sterling to the Commissioners for repairing Fort Charles and Fort James, and to Captain Charles Morgan, for what is due for contingencies of said forts, 153*l.* 13*s.*, and what is due for repairing the King's House and what is due for reducing rebellious negroes, and to Major

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Yeamans, Provost Marshal, 39*l.* 2*s.* for the execution of several persons as per his account, also 80*l.* each to the said Provost Marshal and to James Barclay, Clerk of the Council, for their attendance in the two last Assemblies, and to Nicholas Scarlet the money due to him according to the Act. Proclamation by the Governor on 25th October of the King's letter of 12th May last (*see ante, No.* 235) about the purchase of Blacks by the Spaniards. [*Col. Entry Bk., Vol. XXXV., pp.* 639, 640.]

Nov. 13. Whitehall. **478.** Journal of Lords of Trade and Plantations. Debate whether the law against taking foreign commissions is fit to be laid aside because thereby the privateers would be terrified from coming in. Agreed to send the following question to King's Counsel; Whether the King having made a treaty with any foreign Prince agreeing to punish such as by colour of commissions from enemies to his allies shall take arms against the King's peace and treaty proclaimed and spoil the King's allies be not levying war against the King and punishable by death, Or what crime it is and how punishable. [*Col. Entry Bk., Vol. CV., p.* 154.]

Nov. 14. Whitehall. **479.** Order of the King in Council. That Thomas Earl of Danby, Lord High Treasurer, give directions for speedy payment of 3,672*l.* 5*s.* 4*d.* to George Wharton, Treasurer of the Ordnance, on account for furnishing and transportation of ordnance, arms, ammunition, and other stores and provisions of war for the re-supply of Jamaica, to complete those sent with Governor Lord Vaughan, 16th November 1674. *Annexed,*

479. I. Estimate of the charge of the above, signed by Jonas Moore and Edw. Sherburne, Office of the Ordnance, 1677, November 6th. "Rec. and Read in Council 13 Nov. 1677." 2 *pp.* [*Col. Entry Bk., Vol. XXIX., pp.* 165–168; *also Col. Papers, Vol. XLI., No.* 105.]

Nov. 16. Whitehall. **480.** Order of the King in Council. Approving report of Lords of Trade and Plantations of the present state and government of Jamaica, and particularly such matters as they judge necessary to be recommended to the Earl of Carlisle, Governor of said island. As to the power and manner of enacting laws for the civil, military, and ecclesiastical Government that Lord Vaughan was empowered with advice of Council to summon assemblies to make laws to be in force two years unless His Majesty signified his pleasure to the contrary. Their Lordships observe that the effects produced by this authority receive daily increase by the resolutions of the Assembly which are less agreeable to His Majesty's intentions, and offer their opinion that the laws transmitted by Lord Vaughan may be entrusted to the Earl of Carlisle to offer to the next Assembly that they may be consented to as laws originally coming from your Majesty. And that in future no legislative Assembly be called without His Majesty's special directions, the Governor upon emergencies to acquaint His Majesty by letter with the necessity of calling such an Assembly, and pray for consent to their meeting

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and present at same time the Acts he thinks necessary. That the same method be made use of in legislative matters in Jamaica as in Ireland according to the form prescribed in Poyning's law, and that the present style of enacting laws *By the Governor, Council, and Representatives* be converted to, *By the King's most excellent Majesty by and with the consent of the General Assembly.* That no escheats, fines, forfeitures, or penalties be applied to the public use of the island but for support of the government. The style of laws for levying money and raising a public revenue should be altered as recommended. That no minister be received in Jamaica without the Bishop of London's license, and no such license to be rejected without sufficient cause alleged and ministers to be admitted to their respective vestries. The Council to be named in the Governor's instructions and not in his commission, with power to suspend any Member without advice or consent of Council, and none suspended to be received into the General Assembly. That a mint be allowed in Jamaica, or that bullion brought from thence be coined in England, all such coins to bear His Majesty's superscription and not to be imposed in payment elsewhere. And ordering that Secretary Coventry prepare a commission and instructions for His Majesty's signature according to the tenor of this report. [*Col. Entry Bk., Vol. XXIX., pp.* 160–165.]

Nov. 16. Whitehall. **481.** Order of the King in Council. That the Lords of Trade and Plantations prepare the Draft of a Law for establishing a perpetual revenue in Jamaica for support of the government there agreeable to that transmitted from the island for His Majesty's approbation about two years ago. "Read 20 Nov. 1677." [*Col. Papers, Vol. XLI., No.* 106, *and Col. Entry Bk., Vol. XXIX., pp.* 168, 169.]

[Nov. 16.] **482.** Petition of Abraham Langford, senior, to the King. That His Majesty granted petitioner by patent on 8th May 1676 the place of Clerk of the Naval Office in Barbadoes with all perquisites and privileges, but Governor Atkins not only refused petitioner the place but detains one of the chiefest perquisites for warrants of arrest. Prays for His Majesty's letters to said Governor that said warrants of arrest may be restored to petitioner or his deputy. With reference from Secretary Coventry to the Lords of Trade to report what they think fit to be done in petitioner's behalf. *Annexed,*

482. I. II. Certificates from Francis Tyrwhitt, William Bond, and Richard Payne, that these warrants of arrest always belonged to the Naval Officer as a perquisite. 30th August and 1st September 1677. *Endorsed:—Rec.* 22 *Nov. Read* 27 *Nov.* 1677.

482. III. The King's Patent to Abraham Langford for the Naval Officer in Barbadoes. Westminster, 1676, 8th May. [*Col. Papers, Vol. XLI., Nos.* 107, 107 I., II.; *also Col. Entry Bk., Vol. VI., pp.* 193–197.]

Nov. 19. **483.** Certificate of John Lord Berkeley. That he employed Mr. Culpeper to view the Virginia Papers and to take copies of

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such as most concerned his deceased brother which Berkeley desires he may continue to do. For Sir Thomas Doleman or any other Clerks of the Council in waiting. [*Col. Papers, Vol. XLI., No.* 108; *also Col. Entry Bk., Vol. LXXX., p.* 209.]

Nov. 20. Whitehall. **484.** The King to Governor Lord Vaughan. Some of the Ministers of His Majesty's Allies residing at Court have made complaint that ships of war are permitted to lie in the ports and harbours of His Majesty's colonies and islands abroad from whence they put to sea and make prize of vessels belonging to Nations in enmity with them but in amity with His Majesty, and having seized such vessels at sea presume to bring them into said ports and harbours to the great abuse of that freedom which His Majesty allows to his friends there. Thinks fit that a speedy and effectual remedy be applied. Therefore, if Governor Vaughan has cause to suspect any vessel of war putting into Jamaica with such intention, he suffer them not to remain much less to return with the vessels seized, and enable them to offend those in amity with His Majesty "than which nothing can be more opposite to that fair indifference and common justice which we profess and will maintain towards all our allies impartially." [*Col. Entry Bk., Vol. XCV., pp.* 227, 228.]

Nov. 20–29. Whitehall. **485.** Journal of the Lords of Trade and Plantations. Their Lordships met in pursuance of an Order of the King in Council (*see ante, No.* 481) to prepare a law for establishing a perpetual revenue in Jamaica for support of the government there, and proceeded to read an Act made by Sir Thomas Lynch in 1672 entitled An Act for raising a public revenue out of all strong liquors and other goods of the production of Foreign Plantations imported or to be imported into the Island of Jamaica, and for the disposal thereof which, if it had been approved by His Majesty, must have become perpetual; after which is read an Act with the same title made by Lord Vaughan, wherein are several innovations derogatory to His Majesty's prerogative and authority there, all of which are specified, the first, instead of a Receiver of the revenues appointed by His Majesty's patent, the Act appoints a Collector. Then follow the opinions of their Lordships, that the preambles of both the said laws be joined together, as stated with other amendments and observations in "this new Act for raising money" as to naming the salaries of the Governor and other officers of the Government.

Nov. 22. The Minutes of the last meeting read concerning the Act for raising a public revenue in Jamaica together with draft of a new law prepared, whereupon ordered that neither the officers enumerated in the former Acts nor their salaries be mentioned in this new law. The preamble. Both the Treasurer and Collector appointed to receive the duties raised by this Act are belonging to Thomas Martin by the King's patent of 3rd April 1674. Sir Thomas Lynch and Captain Molesworth called in to give account of the present settlement of the revenue in Jamaica. Being withdrawn their Lordships signify their dislike of a Collector being appointed by the Act, and their opinion that no further use should be made of a Collector or

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Treasurer in the island since His Majesty's Receiver is empowered to receive all manner of duties, therefore ordered that a new draft of a law be prepared.

Nov. 29. On reading the law for raising a revenue in Jamaica their Lordships think fit it be sent to the Commissioners of the Customs for their opinions and remarks. Letter writ to Mr. Bertie (*see No.* 501). Letter read from Lord Vaughan of 30th October 1676, concerning Deane the pirate, and the manner of proceeding against pirates for the future. Agreed to report that a standing Commission of Oyer and Terminer be sent to Jamaica, in which the chief resident officers are to be nominated, Mr. Attorney General to prepare a bill to this effect. [*Col. Entry Bk., Vol. CV., pp.* 155–162, 164, 165, 169.]

Nov. 21. **486.** Answer of King's Counsel to the question about pirates (*see ante,* 478.) This is not levying war against the King or by the law of the land punishable by death. It is a crime against His Majesty's Treaties of Peace and the Proclamations for their observance. It is also an offence against the law of nations and by the civil law it is *crimen læsæ majestatis*, but by the law of England no more than a confederacy against His Majesty's Crown and Dignity and by the statute for the trial of piracy (28 H. 8, cap. 15.) punishable only by fine and imprisonment. And there is an offender in the Marshalsea who hath accordingly been so punished. *Signed by* Thomas Exton and Richard Lloyd. [*Col. Entry Bk., Vol. CV., p.* 155.]

[Nov. 21.] **487.** Petition of Henry West, a Planter of Virginia, now in England, in behalf of himself and brother, to the King. William West was seduced to accept a commission under the late rebel Bacon against the Indians who had inhumanly murdered petitioner's parents about thirty years since; both brothers surrendered themselves to Colonel Bridger on promise of pardon, but were tried by a Council of War, and William was sentenced to death, and Henry to be transported to England and to give bond to His Majesty to leave Virginia. Prays for leave to return to his family in Virginia and to be discharged of his bond, and for pardon for his brother William who made his escape out of prison, and is ready to take the oath of obedience and give security for his future good behaviour, as many other more notorious offenders have been admitted to do. *Endorsed*, "Read in Council Nov. 21, 1677." 1 *p.* [*Col. Papers, Vol. XLI., No.* 109.]

[Nov. 22.] **488.** Petition of Thomas Sands of London, Merchant, to the King in Council. For leave to ship 580 hogsheads of tobacco from Virginia for England, free of the Virginia impost, in lieu of a like quantity upon which he paid the duty of 2*s.* per hogshead, but was taken by the Dutch. *Endorsed*, "Read 22 Nov. 77. Read in Council 23rd." 1 *p.* [*Col. Papers, Vol. XLI., No.* 110.]

Nov. 23. **489.** Petition of William Howard, a loyal subject of His Majesty, and a great sufferer by the late unhappy troubles there,

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now in England, to the King. Has lived 41 years quietly in Virginia, and served as a volunteer under Sir William Berkeley against the Great Indian Emperor Appochaukonaugh, when he received several wounds. His great age prevented his serving in the time of the late rebellion, but he sent his only son well mounted and several of his ablest servants against the rebels, Some of Bacon's men were forcibly quartered at petitioner's house when Major Robert Beverley, with a party of 30 armed men, took them prisoners and plundered petitioner's house to the value of 500*l.* sterling. Is now come to England, and prays that his servants and goods, possessed by Beverley, may be restored to petitioner. *Endorsed*, "Read in Council Novr. 23 1677." 1 *p.* [*Col. Papers, Vol. XLI., No.* 111.]

[Nov. 24.] **490.** The Earl of Carlisle to Sir Thomas Doleman. Pray do me the favour to send the map of Jamaica to me, and entrust it with the bearer. With receipt for the map, this 24th November by W. Delamain. [*Col. Papers, Vol. XLI., No.* 112.]

[Nov. 24.] **491.** Petition of Colonel Francis Moryson to the King. Has all his life served His Majesty, and particularly as one of His Majesty's late Commissioners in Virginia. Is now grown aged, and having as yet no other employment as the other Commissioners have prays that His Majesty will give such directions in the premises as in his princely wisdom shall be thought fit. [*Col. Entry Bk., Vol. LXXXI., p.* 272.]

Nov. 24. Whitehall. **492.** Order of the King in Council upon above petition of Colonel Moryson. His Majesty looking upon the service of the petitioner to be no way inferior to that of the other two Commissioners for Virginia who had, to wit, Colonel Jeffreys, command of a company of foot, and Sir John Berry of a man-of-war, His Majesty is pleased to make up petitioner's allowance equal to the best of said two Commissioners, and to refer it to Lord Treasurer Danby to adjust the same accordingly, and to report how it may be best effected. [*Col. Entry Bk., Vol. LXXXI., pp.* 273, 274.]

Nov. 27. Whitehall. **493.** Journal of Lords of Trade and Plantations, Letter from Sir Jonathan Atkins of 6th September last read, transmitting a manuscript book, containing 23 laws enacted in Barbadoes since his arrival in that Government, together with list of the Council and artillery, &c. Whereupon ordered that letter be written acknowledging receipt of his former letters, and directing him to send with speed all laws in force in Barbadoes, with reasons for making them, and all other laws that have been abrogated. Petition of Abraham Langford read, complaining that the perquisites of issuing out warrants of arrest in Barbadoes are refused him by Governor Atkins, notwithstanding His Majesty's patent of 8th May 1674, granting him the office of Clerk of the Navy. Ordered that report be prepared, with their Lordships' opinion, that Governor Atkins admit petitioner to the execution of this perquisite, unless he can

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give cause for the contrary, in which case he is to secure the benefit arising thereby to petitioner if His Majesty shall adjudge the right to belong to him. [*Col. Entry Bk., Vol. CV., pp.* 167, 168.]

Nov. 27. Whitehall. **494.** The Secretary to the Lords of Trade and Plantations to Governor Sir Jonathan Atkins. Acknowledges receipt of his several letters and a manuscript book containing twenty-two laws enacted since his arrival, but their Lordships observing many Acts said to be re-enacted and explained which do not appear in the volume, earnestly desire him to furnish them by the next conveyance, not only all Acts that are now in force in Barbadoes, but all other Acts that at any time were in force there. Also to inform their Lordships of the reasons which he says make them inevitably necessary for the safety and government of the island. [*Col. Entry Bk., Vol. VI., pp.* 192, 193.]

Nov. 27. Whitehall. **495.** Report of the Lords of Trade and Plantations to the King. On the petition of Abraham Langford concerning the perquisites belonging to his place of Naval Officer for warrants of arrest in accordance with their Lordships' order in preceding abstract. [*Col. Papers, Vol. XLI., No.* 113.]

Nov. 28. Whitehall. **496.** The King and Council to the Master of the Ordnance. To cause to be delivered to the Earl of Carlisle, whom His Majesty hath constituted Governor of Jamaica, the several stores and provisions of war in the estimate (*see ante, No.* 479 I.) mentioned to be transported to said island for His Majesty's service. [*Col. Entry Bk., Vol. XXIX., pp.* 175, 176.]

Nov. 28. Whitehall. **497.** Order of the King in Council. That the ship Mary designed for trade within the limits of the Royal African Company's Charter, in contempt of His Majesty's Proclamation, be stayed by the Commissioners of Customs, and the master summoned before Council, and that in the intervals of Council the Lord Treasurer be authorized to stay all interlopers on request of said Company. [*Col. Entry Bk., Vol. I., p.* 79.]

Nov. 28. Barbadoes. **498.** Governor Sir Jonathan Atkins to Lords of Trade and Plantations. As to the complaints made to him of injuries done by the French to English ships, he sent the King's frigate to the Governor of Martinique and received a very civil and satisfactory answer from Mons. St. Marthe which Governor Atkins recapitulates. Advice by a ship from Madeira of a French fleet not far from that island of ten men-of-war and three fire ships, besides victuallers, in all 18 sail, and the next morning from the Leeward Isles of the same fleet which came up close to that part of Barbadoes where we are now building. Gave orders to all the regiments in the island "to draw to their colours." At eleven o'clock at night had advice from Colonel Lambert that Count d'Estrées had sent a gentleman ashore to speak with the Governor, who said the Count's reason for

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coming so near the island was, that he had appointed four frigates to meet him there, and that the firm friendship between their masters might take from us all suspicion of each other. Had sent His Majesty's frigate to M. d'Estrées to compliment him, but she was mistaken for a merchant "an ordinary error that always hath attended that frigate the Constant Warwick." The Lieutenant of the French fleet went away well satisfied with the civility he had received, and something of admiration to see so great a strength of Horse and Foot in so small an island, so "you may see the Barbadoes is not neglected." Further intelligence from the Leeward Isles of a frigate taking in planters and soldiers from St. Christopher's. The French fleet sailed direct for Tobago to block the Dutch out or force them to come out and fight. The complaints of the Royal Company of Africa concerning interlopers are no small scandal to him. Account of an action that hath happened which "cleared the whole point," by a vessel being brought in by His Majesty's frigate and the case publicly heard in the Court of Admiralty where the Governor presided, and the right of the African Company was fully asserted, which gave satisfaction to the whole Assembly, insomuch that Mr. Sharpe who otherwise is a very honest man, very popular and ingenuous, did before them all acknowledge he had been deceived and was sorry for what he had done, and that he would never more act in it, so hopes that uncertain trade will be given over. Explains "two necessary but unusual acts" concerning the estates of Thomas Middleton and one Plumley. "Rec. 16 Jan. 1677." 4 *pp.* [*Col. Papers, Vol. XLI., No.* 114; *and Col. Entry Bk., Vol. VI., pp.* 210–218.]

Nov. 29. **499.** *Mem.*—That the Lord Privy Seal is desired by the Lords of Trade and Plantations to report to His Majesty in Council that the Lord Culpeper humbly prays that his commission and instructions as Governor of Virginia may be taken into consideration in order to his despatch. [*Col. Entry Bk., Vol. LXXX., p.* 229.]

Nov. 29. Whitehall. **500.** *Mem.*—The Lord Privy Seal is desired by the Lords of Trade and Plantations to move His Majesty that a standing commission of Oyer and Terminer for trial of pirates in Jamaica be granted without term, wherein the chief resident officers may be named and Mr. Attorney General to prepare a Bill to this effect. [*Col. Papers, Vol. XLI., No.* 115, *and Col. Entry Bk., Vol. XXIX., p.* 170.]

Nov. 29. **501.** Sir Philip Lloyd to Mr. Bertie. Encloses by order of the Lords of Trade and Plantations draft of a law they have prepared for raising a revenue in Jamaica, which the Earl of Carlisle on his arrival is to offer to the Assembly for their consent, and upon which their Lordships wish to receive the opinion of the Commissioners of the Customs. [*Col. Entry Bk., Vol. XXIX., pp.* 169, 170.]

Nov. **502.** "A short account of the General Concerns of New York from October 1674 to November 1677." Settlement of New York

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in 1674, demand made in May 1675 to Connecticut of that part of His Royal Highness's Colony in their possession, journey to Delaware to settle things particularly as to New Jersey Indians, of which great apprehensions composed by their submission, observed by them since during all the troublesome war; news of Indian troubles eastward in June following, Governor sent an express to Hartford and repaired with a force to the mouth of Connecticut river, as the "properest" place to advise and act, but supply was refused and after four days' waiting a severe protest made against his coming; went over without delay to Long Island, sent ammunition and arms to Martin's Vineyard and Nantuckett, proceeded by land through Long Island to New York, to satisfy the great jealousy of their neighbours, disarmed all their Indians and saw all the militia; sent for all the neighbouring Sachems who renewed their submissions and engagements, went in August up Hudsons' River to Esopus and Albany and most warlike Indians near a hundred miles beyond and associates about 400 miles further submitted in an extraordinary manner with reiterated promises; returned to New York, sent his first Lieutenant with recruits to command at Albany; on the notice of the Indians in war coming more westward, prohibited the sale of powder on penalty of 10*l.* for each ¼ lb., or corporal punishment extending to life, sent unasked six barrels of powder and some match to Rhode Island which they thankfully accepted and lent part to New England. Sent two gentlemen to Boston to complain of the aspersion in the Massachusetts Declaration, published in the beginning of the winter, that the Indians were supplied with powder at Albany, demanding that it might be made to appear or the false informer punished. In November and December Philip and the Indians to about 1,000 went up into the country and came within 40 miles of Albany, the Governor immediately ordered his remove and sent an express to Connecticut desiring leave to pursue the enemy into their parts, which being refused and the river opening unexpected, the beginning of February 1676, took the first opportunity to go up with an additional force and six sloops, and found at Albany 300 Maquaes returned from the pursuit of Philip and a party of 500 with him, whom they had beaten, having some prisoners and the crown or hair and skin of others whom they had killed; erected a new stockadoed fort with four bastions to command Albany, sent an officer through the woods to demand Christian captives and command all strange Indians out of the government, the officer met with five nations together, about f(ive) hundred in arms, which readily obeyed; erected small forts in all the towns and villages for the retreats of women and children. In the spring and beginning of summer 1676, the Indians having committed great ravages in all parts, Connecticut sent two commissioners pretending full powers, though none but the Governor assured them he would not be wanting and offered either to procure them an honourable peace or to assist them in war and to forbear claims of territory for the present, but had no answer, however continued to keep down all Indians in war with them from the inland country. The Eastern Indians about Kennebec prevailing

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much and driving all Christians from the fishing islands and continent, the Governor sent a sloop to Boston and Piscataqua offering free passage to any driven from His Royal Highness' territories at Pemaquid, of which he gave notice to the Massachusetts, but they were by them prohibited to come to New York. In June 1677 the Eastern parts being deserted by the Indians and neglected by Boston, the Governor sent to take possession of Pemaquid in His Royal Highness' right, giving notice to the Massachusetts, immediately the Massachusetts press vessel and about 120 men to send that way and proclaim a day of prayer in print, which forces attacked the Indians at Black Point but lost about 60 men, so Major Clarke went on to Pemaquid, and finding His Royal Highness' forces already in possession made only some questions and so returned. A few days afterwards some Indians came in and offered submission but not to include Massachusetts, which not being accepted they went away but in a few days returned and in less than a month submitted to include Boston and all His Majesty's subjects, submitting (as they said) to Providence, and brought in prisoners. Port at Pemaquid a wooden redoubt, victualled for eight months, the charge with that of a sloop has been very great. Colonel Coursey, Ambassador from Maryland to the Indians, and the Governor both received satisfactory assurances from the Indians. On November 16th, after taking the advice of the Council and the Country being quiet, the Governor started from New York and sailed the next day. *Endorsed* "Rec^{d} from Sir E. Andros, March 1678." 4 *pp. Printed in New York Documents III.* 254–257. [*Col. Papers, Vol. XLI., No.* 116.]

Nov. **503.** Petition of Rowland Simpson, Merchant [late a planter in Surinam], to the King and Privy Council. Recites former petitions (*see previous volume of Calendar, No.* 1018 *and enclosures*) concerning the seizure of the Golden Lion laden with sugar, the produce of his plantation in Surinam, by a French privateer the Golden Fleece, Bernardo Lemoyne, Commander, who by force carried petitioner's ship and sugars from Milford Haven into France and His Majesty's recommendation of his case to Lord Lockhart, Ambassador in France, that petitioner hath used all means and pursued all the methods required either by law or treaty to obtain satisfaction, all which have been fully reported to His Majesty by the Lords of Trade and Plantations, but has been unable to obtain reparation. Prays for letters of reprisal or marque the only means now left for his redress. *Signed by petitioner. Annexed,*

503. I. The Case of Rowland Simpson, a planter in Surinam, He had according to the 5th Article of the last Treaty with the Dutch to move from thence into England and to that end sold his plantation and shipped 309 hogsheads of sugar aboard the Golden Lion. Having no other way to get to England but by way of Holland, said ship on her course to Amsterdam was taken by a French Privateer. Recapitulates all his proceedings to obtain reparation as set forth in his several petitions and prays for letters of

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reprisal which Simpson is advised he has the right to have granted by the Law of Nations and the articles of peace aforsaid.

503. II. Memorial of the English ambassador in Paris, Edward Lord Montagu, to the King of France, referred to in Simpson's petition. Paris 1677, July 26. [*Col. Papers, Vol. XLI., Nos.* 117, 117 I., II.] *Also,*

Journal of Lords of Trade and Plantations. Petition of Rowland Simpson with several papers read. Mr. Brisbance acquaints their Lordships that upon instance made by him for satisfaction in France he could get no other answer than that the parties might have a revision of the sentence of condemnation in France, and that when it was demanded that the value of petitioner's goods should be deposited in the Admiralty of England they absolutely refused. After a very long debate upon the whole matter it was thought fit to propose to Sir Thomas Exton and Sir Richard Lloyd (Judges of the Admiralty) certain questions as to whether the obstruction given to the remedy petitioner might have had if tried while his goods were in England be subject for letters of reprisal. The letter to the Judges of the Admiralty. [*Col. Entry Bk., Vol. CV., pp.* 209–210, 215–216.]

Dec. 3. Falmouth, Antigua.

504. Journal of the Council and Assembly of Antigua. Present: Lieutenant-Colonel Rowland Williams, Captains Jeremiah Watkins, Paul Lee, John Cade, Richard Ayres, and Samuel Jones, and John Parry, Esq. Of the Assembly, Major Richard Boraston, Speaker, Major Thomas Malett, Lieutenant Daniel Mitchell, Ensign Francis Carlisle, and Samuel Irish. Upon Colonel Philip Warner laying down his Commission, His Excellency proposed the election of Lieutenant-Colonel Williams to the Council and Assembly, who concurring, desired his acceptance of the Government but received an utter denial, whereupon His Excellency empowered the two Judges, Captains Paul Lee and Jeremiah Watkins, to preside, each in his precinct, and at the end of a year to dissolve the Assembly and issue writs for a new one. [*Col. Papers, Vol. XXV., No.* 55*.]

Dec. 4. Whitehall.

505. Journal of Lords of Trade and Plantations. Consideration of the business of Virginia as referred to their Lordships by Orders of 6th and 17th July last (*see ante, Nos.* 318, 336.) Lord Berkeley moves that the narrative of the late rebellion in Virginia presented by His Majesty's Commissioners be read (*see ante, No.* 432). Lord Culpeper, the Commissioners, and Colonel Culpeper called in, when said papers are read, and Lord Berkeley presents an answer to the objections against Sir William Berkeley signed by Colonel Culpeper which is also read. Sir John Berry and Colonel Moryson declare their narrative to be a faithful and impartial account of things and assure their Lordships they never had any design to diminish the credit of Sir William Berkeley. All being withdrawn the Minutes of 2nd August last (*see ante, No.* 377) are read, and it

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is inquired by what Order this answer in favour of Sir William Berkeley is brought before them; agreed to desire His Majesty's directions how to proceed. Being informed by Lord Berkeley that Major Robert Bristow recommended by the Commissioners for his loyalty and sufferings in the late rebellion had taken the oath of fidelity to Bacon, Sir John Berry declares that the character given of Bristow was from Sir William Berkeley's own mouth, who said Bristow was a great sufferer and had been kept prisoner by the rebels until Bacon's death, and Colonel Moryson could bear witness. Colonel Culpeper's request to alter some expressions in the paper signed by him in justification of Sir William Berkeley not permitted. Agreed to move His Majesty for directions for the dispatch of Lord Culpeper and the consideration of his Commission and Instructions. 3 *pp.* [*Col. Papers, Vol. XLI., No.* 118, *and Col. Entry Bk., Vol. CV., pp.* 170–172.]

Dec. 4. **506.** An answer to the objections against Sir William Berkeley in justification of his proceedings. *Signed by* Alexander Culpeper. The last paragraph is as follows: All these things considered, Sir William Berkeley had great reason to differ from the opinion of the learned Lord Coke mentioned by the Commissioners, and to appeal to His Majesty and most honourable Privy Council and the learned Judges of the law who it is hoped will find cause to justify Sir William Berkeley's proceedings, which, when the case shall be clearer stated and better understood that yet it is, will be found to have been entirely for the good of the Colony and His Majesty's service though to his own loss and ruin. [*Col. Papers, Vol. XLI., No.* 119, *and Col. Entry Bk., Vol. LXXX., pp.* 230–239.]

Dec. 5. Whitehall. **507.** Order of the King in Council. That Mr. Secretary Coventry move His Majesty for his directions about preparing the instructions and other necessary despatches for John Lord Culpeper as His Majesty's Governor of Virginia. [*Col. Entry Bk., Vol. LXXX., p.* 230.]

Dec. 5. Whitehall. **508.** Order of the King in Council. That Sir William Jones, Attorney-General, prepare draft of a Commission of Oyer and Terminer, as desired by the Lords of Trade, for trial of pirates in Jamaica, *see ante, No.* 500. [*Col. Entry Bk., Vol. XXIX., p.* 171.]

Dec. 6. Whitehall. **509.** Order of the Lords of Trade and Plantations. Upon reading a particular account delivered by His Majesty's late Commissioners for the affairs of Virginia, directing Sir John Berry and Colonel Moryson to give in a list of the Council in Virginia, some of whom are described as rash, fiery, &c., without naming any other than Colonel Ballard, together with a particular character of each member; that, according to the 9th Article of their Instructions, they examine the laws of Virginia, and return their opinions how far they find them consistent with His Majesty's authority and the welfare of his Colony, and what they find inconvenient and fit to be altered or discontinued. 2 *pp.* [*Col.*

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Papers, Vol. XLI., No. 120, *and Col. Entry Bk., Vol. LXXX., pp.* 209, 210.]

510. Sir John Berry and Colonel Francis Moryson, late Commisioners for the affairs of Virginia, to the Lords of Trade and Plantations. Present a list of the Council of that Colony, with characters of those who may be thought most fit for His Majesty's service at this present juncture. To the names of Sir Henry Chicheley, Thomas Ludwell, Colonel Thomas Swann, Colonel Nathaniel Bacon, Colonel Robert Smith, Colonel William Cole, Colonel Richard Spencer, Colonel Daniel Parks, Colonel Rowland Place, Captain Ralph Wormeley, Colonel Augustine Warner, Major Richard Lee, and Major-General John Custis, the word "STET" has been afterwards added (by William Blathwayt?); to those of Major Robert Beverley and Colonel Edward Hill the words "PUTT OUT;" to Colonel Francis Willis, "not now in the country," the words "to be inquired of;" to Colonel Thomas Ballard and James Bray, "discont." [inue?]; Colonel Thomas Bridger, "Qu.;" Colonel Philip Ludwell, "determine." Opinion upon the Acts of Oblivion and Attainder, and as to taking into deliberate consideration the laws of Virginia, "a work of time and difficulty," requiring the assistance of some learned Counsel to advise with. 5 *pp.* [*Col. Papers, Vol. XLI., No.* 121.]

Dec. 6. Council Chamber.

511. Memorandum that the Lords of Trade and Plantations desire the Lord Privy Seal to report to the King in Council that there is lying before them an answer to objections against Sir William Berkeley in justification of his proceedings (*see ante, No.* 506), upon which they desire His Majesty's directions, as also in relation to the return the late Commissioners of Virginia, who have been long attending His Majesty's commands, have made of their commission. *Endorsed*, "Read in Council Dec 7. 1677."

Also *Mem.*—In consideration whereof it was ordered in Council that no further notice should be taken of the aforesaid papers, and the same day His Majesty was pleased to dismiss the Commissioners from further attendance. [*Col. Papers, Vol. XLI., No.* 122, *and Col. Entry Bk., Vol. LXXX., p.* 240.]

Dec. 6. Whitehall.

512. Journal of the Lords of Trade and Plantations. A list of the business of Virginia depending at the Committee read. Answer of the Commissioners presented to His Majesty in reference to their instructions; remarks; Sir William Berkeley's refusal to inform the Commissioners on certain heads; the grievances in relation to the great salaries paid to the Assembly redressed; the characters of some of the Council, Colonel Ballard, as rash and fiery, to be excluded the Council, and Colonel Swann continued; Bray and Colonel Philip Ludwell also rash and fiery men; a list of the Council to be prepared by the Commissioners that His Majesty may distinguish who are fit to be continued and who to be excluded. As to the 9th Instruction requiring the Commissioners to return copies of all laws in force in Virginia, the Commissioners declare that Sir William Berkeley did not observe the directions of 14th

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April 1676 as to certain heads of inquiry annexed. Inventory of delinquents' estates delivered to their Lordships; agreed to recommend that the gentlemen be rewarded for their labour therein. The case of Hunt recommended by the Commissioners as very hard and severe; he was never in arms and died before Bacon, yet his estate confiscated. Refusal of Berkeley to receive His Majesty's Commissioners into his house; Colonel Swann to be recommended to Colonel Jeffreys for some reward for his kindness and expense in doing so. The narrative of the Commissioners of the rise, progress, and cessation of the late rebellion read; the observations of their Lordships thereon as to the occasions of the troubles for which Sir William Berkeley is greatly blamed in disowning the expedition of Brent and Mason, in the small care that was taken to subdue the Indians, his private trade with them, his sudden motion to pardon Bacon when he was taken prisoner and admitting him again of the Council; his conduct to Gardner who took Bacon prisoner; and how he might have prevented Bacon having his (the Governor's) commission against the Indians. A brother to the Queen of Wianoke taken prisoner by Bacon and brought to England by Colonel Culpeper, Administrator to Berkeley at Kent in Lord Culpeper's house. Agreed to report in Council for some consideration to Sir John Berry and Colonel Moryson for their attendance on His Majesty's commands since the return of their commission. 7 *pp.* [*Col. Entry Bk., Vol. CV., pp.* 173–179.]

[Dec. 6.] **513.** Inventories of Delinquents' Estates in Virginia, prefixed by a list of debts claimed by divers persons out of said estates. The first name is William Sherwood (*see his petitions ante, Nos.* 329, 330). *With Mem. signed by* Sir John Berry and Francis Moryson, that on His Majesty's determination concerning the disposal of said estates herein set down, Lieutenant-Colonel George Jordan and Major Theophilus Hone, employed by His Majesty's Commissioners to report what estates have been seized as forfeited to His Majesty, they may be considered out of the said estates for their great trouble. The following are the names of the persons whose estates are "inventoried":—William Hunt, Giles Bland, Robert Jones, Colonel James Crewe, Nathaniel Bacon, William Cookson, William Dawson, John Greene, John Hes, Captain William Carver, William Rookings, Thomas Hall, Thomas Willforde, Anthony Arnold, Henry Page, Thomas Hunsforde, Thomas Whally, Edmund Cheeseman, John Whitson, William Scarborough, William West, Robert Stokes, John Younge, John Turner, Richard Farmer, and Richard Pomfrey, there executed but had no estate, not so much as to pay for a shroud to bury them. [*Col. Entry Bk., Vol. LXXXI., pp.* 429–495.]

[Dec. 6.] **514.** A true Narrative of the rise, progress, and cessation of the late Rebellion in Virginia, most humbly and impartially reported by His Majesty's Commissioners appointed to inquire into the affairs of the said Colony. This is a beautifully written manuscript by Samuel Wiseman (Clerk to the Commissioners), of thirty-

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five pages, signed by Sir John Berry and Colonel Francis Moryson, prefixed by a rough drawing of the siege of an Indian fort by the Virginians and Marylanders, collected "from a strict inquiry, observation, examination, and the most probable impartial reports by us made and received during our stay upon the place," *see ante, No.* 433, "The Heads of such papers, 2." [*Col. Entry Bk., Vol. LXXXI., pp.* 369–405.]

[Dec. 7.] **515.** Petition of Wolfgang Howser, Attorney of Henry Howser and James Zellar, His Majesty's Chaplains in Jamaica, to the King and Council. That said Chaplains were chosen in 1663 by the Bishop of London, who promised each 100*l.* a year, until a stop was made by the Lords of the Treasury, and, notwithstanding His Majesty's recommendation to the Bishop of London to pay the 100*l.* in arrear, he refuses to do so. Prays for His Majesty's order to said Bishop to pay the same, and also to consider a letter from His Majesty's chaplains in Jamaica, which declares the island, in regard of its great poverty, is not able to allow maintenance for the four Chaplains resident there. "Read in Council 7 Dec. 1677." [*Col. Papers, Vol. XLI., No.* 123.]

Dec. 11. Whitehall. **516.** Journal of the Lords of Trade and Plantations. In reference to the Commissioners' account of the condition of Virginia and of their transactions during their stay there, with their opinion what means will best conduce to the firm grounding and securing the future peace thereof (which is read), and on Lord Berkeley's remarks on the unusual manner in which they made their inquiries into the state and grievances of the country, seeing Sir William Berkeley refused to give them any account of the state of matters, their Lordships "seem to remain satisfied with the proceedings of the Commissioners in this regard." Lord Culpeper and Colonel Moryson called in the laws lately made in Virginia for pardoning, attainting, and punishing offenders; considered also Berkeley's proclamation in contradiction to that of His Majesty for pardoning all except Bacon. Agreed that the Governor, Council, and Assembly have too far extended their authority and privilege in enacting them; against justice itself, particularly in the case of Hunt. Agreed to report to His Majesty their advice that all laws made contrary to the powers residing in the Government of Virginia or in derogation to His Majesty's Proclamation be disanulled, and other laws sent to Virginia more agreeable to His Majesty's justice and honour. How far His Majesty will extend his mercy toward the several degrees of offenders in Virginia is left to His Majesty's determination. [*Col. Entry Bk., Vol. CV., pp.* 180, 181.]

Dec. 11–13. **517.** Journal of Assembly of Barbadoes. Ordered that 200,000 lbs. of muscovado sugar be presented to the Governor for his better support in the government of this island.

Dec. 12. Election of John Hallett as Treasurer, *vice* Colonel William Bate, and Captain John Johnson, Comptroller of the duty of excise. Acts for laying an imposition on wines and other liquors imported, and to enable Colonel William Bate to receive the debts

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by him contracted for the excise passed. Ordered that the Treasurer put on board ship so much of the public sugars as may reasonably be computed to make in England 1,500*l.* sterling for payment of 1,200 firelocks and 200 carbines with cartouch boxes, &c. Ordered, that if any member of this House shall hereafter discover or divulge any of the arguments of any particular members in the House to the prejudice of any of them he shall be expelled the House. Ordered on petition of Captain Thomas Morris and Thomas Beresford, merchant, that the duty on eighteen pipes [of wine] be remitted. John Forbes chosen Marshal on decease of Joseph Withers. Act passed to explain a branch of a former Act for ordering and governing of negroes. Ordered that the members bring in a true list of arrears and taxes in the several parishes they represent, and that the beginning of this crop they make speedy prosecution against the several persons in arrears. This to be published in all parish churches two Sundays before the next sitting. Motion to the Governor to order the Commissioners for the several precincts to take account of the carriages, ammunition, and other necessaries wanting in the forts, and report the same at the next sitting of the Assembly. That the manner of giving and setting forward an alarm be ascertained, and the forces of the country upon such occasion appointed at such posts as formerly, and not at their usual rendezvous, for the better preventing any sudden surprisal wherein our danger chiefly consists; that the Colonels may have power to take provision for the poor people upon alarm, to maintain them at their posts, setting reasonable rates thereon, and drawing on the public for satisfaction. That good part of the magazine may be distributed to the care of the field officers to be kept near the several posts, and to draw upon the Treasurer for any charge of building for securing same. That said Commissioners take a view of the breast works, and report what are in want of repair and where new ones will be convenient, also upon the best way of preserving the great guns and carriages from decay. That a thousand spades be distributed for the use of the several breastworks. That said Commissioners be desired to cause wood and trees prejudicial to the breastworks to be cut or in default to appoint other persons who may take said wood for their pains.

Dec. 13. Petition drawn by order of the House to the King. In relation to their Speaker, Colonel William Sharpe, being sent for to England upon a complaint to His Majesty and Council, who made an order commanding the Governor to send over Colonel Sharpe. That petitioners are much afflicted at His Majesty's displeasure, but humbly presume to lay before His Majesty that those inhabiting this extreme part of his dominions have been settled by the King's Commission and his laws, and hitherto at all times offenders have by virtue of them been duly punished. That if removed from their estates and families upon any suggestion or accusation they are as inevitably ruined though innocent as they would be if guilty. Pray His Majesty to take away those fears, and by some gracious expression to confirm them, that they shall not be removed

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from their houses and families upon the pretence of any crime before they are first heard in this place. Resolved unanimously that this petition be sent to England. Acts to continue the Act of the Militia of this island, and to prevent the clipping, washing, or impairing of the Spanish money here current, passed. Voted that the Treasurer and Comptroller of the Excise do not give security. Ordered that the Treasurer pay to John Higinbotham, Clerk of the Assembly, and to Mary, widow of John Withers, late Marshal, their respective salaries in sugars. John Forbes took the usual oath as Marshal to the Assembly. Adjourned to 22nd January 1678. [*Col. Entry Bk., Vol. XIII., pp.* 282–288.]

Dec. 12. Whitehall. **518.** Order of the King in Council. Permitting the ship Mary to proceed, on securities of 500*l.* each, given by Lionel Craft and Henry Ramsey, two of the proprietors. That she shall not touch at Guinea or any part of Africa to the prejudice of the Royal African Company. [*Col. Entry Bk., Vol. I., p.* 80.]

[Dec. 12.] **519.** Petition of Thomas Gardner, late Commander of the ship Adam and Eve, of London, to the King. That by command of Sir William Berkeley he seized the late rebel Bacon, with forty armed men in a sloop, in James River, and delivered them, all prisoners, to the Governor at James Town. That he was soon after committed to prison by the then Assembly till he should pay seventy pounds for the loss of Bacon's sloop. That after the Governor's return from Accomack, and until the arrival of His Majesty's Commissioners he attended to said Governor's orders. Prays for satisfaction for his services. *Endorsed,* "Read in Council Dec. 12 '77." *Annexed,*

519. I. Certificate signed by Sir John Berry and Colonel Francis Moryson in favour of Captain Thomas Gardner, that his ship was a receptacle for the loyal party, and a jail for the late rebels, and is now taken from him by reason of the neglect and losses occasioned by his attending the Governor's orders. *Endorsed,* "Read. 18 Dec. 1677."

519. II. Order of the Assembly of Virginia. That for violating the privilege of a burgess in the person of Nathaniel Bacon, and for damages about a sloop, and the loss of arms, Captain Thomas Gardner pay to the said Bacon 70*l.*, and crave Bacon's pardon, 24 June 1676.

519. III. Order of the King in Council. On petition of Captain Thomas Gardner, referring same to Lords of Trade and Plantations, to examine the petitioner's case, and report how he may be satisfied for the great hardships and charge of his imprisonment by order of the Assembly of Virginia. Whitehall, 1677, Dec. 12. *Together, 5 papers.* [*Col. Papers, Vol. XLI., Nos.* 124. 124 I., II., III.; *and Col. Entry Bk., Vol. LXXX., pp.* 215–222.]

Dec. 13. Whitehall. **520.** Journal of the Lords of Trade and Plantations. A Report to His Majesty about the laws of Virginia read and approved. A

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repertory of Grievances presented to the late Commissioners of Virginia by the people there is read in part. Opinions of their Lordships on several of the Articles. [*Col. Entry Bk., Vol. CV., pp.* 182–184.]

Dec. 14. Custom House, London.

521. Commissioners of the Customs to the Lord Treasurer. Have considered the draft of an Act for raising money in Jamaica for support of that government, and offer their opinions on the proposal to lay duties on sugar, tobacco, indigo, ginger, rum, and cocoa, which they suppose are rather intended for preventing their importation than out of any expectation of raising a revenue, also as to spirits, beer, cider, mum, and metheglin, which last and spirits are mostly of the manufacture of this kingdom. Do not find that anything is charged upon rum or other strong waters of the manufacture of the Island. Concerning the difference made between free ships and foreign ships and other details in connection with said Act. *Signed by* Sir Richard Temple, Sir George Downing, and five others. "Rec^{d} from M^{r} Brent 31 Dec. 1677." 2 *pp.* [*Col. Papers, Vol. XLI., No.* 126 ; *and Col. Entry Bk., Vol. XXIX., pp.* 172–175.]

Dec. 18. Whitehall.

522. Journal of the Lords of Trade and Plantations. In reference to the eighth grievance of Northampton County, Virginia, their Lordships think fit that the Courts of Judicature be not adjourned so often as is complained of without sufficient cause, and that the Governor be directed to regulate this abuse. Letter signed to Colonel Jeffreys, Governor of Virginia, requiring of him an account of the affairs of Virginia since his arrival there, and transmitting several heads of inquiry relating to the present state of the country.

Their Lordships receive several laws of Jamaica enacted 9th April 1677, which they will consider at their next meeting.

Lord Baltimore attends as ordered in relation to the correspondence in Maryland with the Indians, and says the peace with the Northern Indians bordering upon his provinces has held for twenty years and is yearly confirmed by the Indians. That in this Treaty as well as in a peace now making with the Cuingo and other Indians Virginia is expressly included, and produced letters vouching his assertion, whereupon Lord Baltimore withdraws, and it is agreed to report in Council that effectual care has been taken by Lord Baltimore to include Virginia within the treaties of peace made with the Indians, but that their Lordships observe the like has not been done by the Governor of Virginia in the late peace concluded with the Indian kings and queens, with their opinions that orders be sent to Colonel Jeffreys that he endeavour to comprehend the Province of Maryland and other English Colonies within the said Treaty and others which shall hereafter be made by him with the Indians.

Their Lordships agree to report in Council their opinion for regulating the fishing trade of Newfoundland in accordance with His Majesty's Letters Patent, as prayed in a petition of several

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towns in the west of England. [*Col. Entry Bk., Vol. CV., pp.* 185–187.]

Dec. 18. Whitehall. **523.** William Blathwayt to Colonel Moryson. Has got ready the names of such as the Acts lately made in Virginia had excepted out of the free pardon granted by His Majesty's Proclamation, but as to his request for a copy of the Objections signed by Colonel Culpeper against Moryson's narrative, the Lords of the Committee say that as His Majesty in Council had not thought fit to take any notice of that paper, so the reply could only multiply disputes to no purpose, and therefore it was not necessary that any copy should be given to him. [*Col. Entry Bk., Vol. LXXX., p.* 211.]

Dec. 18. Council Chamber. **524.** Report [of Lords of Trade and Plantations] to the King. That a letter be written to Lieutenant-Governor Herbert Jeffreys directing him to use all effectual means to comprehend as well within the late peace made with the Indians as in all other Treaties of Peace to be negotiated hereafter, not only the Province of Maryland, but all other neighbouring Colonies of His Majesty's subjects. *Endorsed*, "Read and approved January 8th 1678." 2 *pp.* [*Col. Papers, Vol. XLI., No.* 127.]

Dec. 18. Whitehall. **525.** Lords of Trade and Plantations to Colonel Jeffreys, Lieutenant-Governor of Virginia. Notify their appointment by His Majesty, and that he may be the better guided in the representation of things which their Lordships expect from him, they send several Heads of Inquiry formerly recommended to Sir William Berkeley, to which as yet they have received no answer, with Additional Heads relating to the present conjuncture and changes. Require him to transmit a Journal and Deduction of all things since his arrival, also authentic copies of all laws. *Annexed* are the Additional Heads of Inquiries. [*Col. Entry Bk., Vol. LXXX., pp.* 241–243.]

[Dec. 19.] **526.** Petition of the inhabitants of Newfoundland to the King. That Petitioners' ancestors settled in said island under certain laws and orders "formed to them by Patents by yo^{r} Maj. royal Ancestors" and now number 1,600 persons. That a patent has lately been obtained by persons in England without the privity of Petitioners, not only contrary to said laws and orders, but absolutely destructive to Petitioners and their families, and should it proceed would prove the certain loss of said island. That Petitioners have petitioned His Majesty to set aside said patent, and several reports have been made how necessary it is the inhabitants be there continued, whereupon His Majesty has suspended the execution of said patent till the full hearing of said cause. That Petitioners also petitioned for a Governor, Minister and settled forts for their security at their own costs, which still remains undetermined. Pray His Majesty to suspend the granting of any order until Petitioners be further heard. "Rec. 19 Dec. Read in Council 22 Dec. 1677." [*Col. Papers, Vol. XLI., No.* 128.]

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Dec. 20. Whitehall. **527.** Journal of Lords of Trade and Plantations. In reference to the case of Thomas Gardner, late Commander of the ship Adam and Eve, agreed to report to His Majesty that, in consideration of the good service done by Gardner in seizing Bacon with forty armed men in his sloop in James River, for which he was cast into prison and fined 70*l.* for the loss of Bacon's sloop and for reimbursement of the same, His Majesty would assign him 100*l.* out of the money raised by the Assembly of Virginia.

Two laws for settling the Militia in Jamaica taken into consideration, one made in 1675, the other in 1677, and the former being read, their Lordships will consider at a full meeting whether the preamble of this law be not fit to be left out as 'tis in the late law, also what provisions to be made in case of damages. [*Col. Entry Bk., Vol. CV., p.* 188–190.]

Dec. 22. Whitehall. **528.** Order of the King in Council. On petition of Otho Thorpe of York county, Virginia, setting forth his great losses by plunder during the rebellion, that himself and wife were imprisoned by the rebels for refusing to take up arms with them, and that Governor Berkeley seized the remainder of his estate, and praying for restitution. His Majesty being very sensible that many of his poor subjects there must necessarily have suffered many hardships in that calamitous time and desiring they may be restored to all they can justly lay a claim to, orders that said petition and papers annexed be referred to Lords of Trade and Plantations for their report, when His Majesty will declare his further pleasure. 2 *pp.* [*Col. Papers, Vol. XLI., No.* 129.]

Dec. 22. Whitehall. **529.** Order of the King in Council. On petition of Elizabeth Dudley, widow of William Dudley, late of Middlesex county, Virginia, on behalf of herself and her three sons, setting forth that her husband was forced to administer Bacon's unlawful oath, but with a salve to his allegiance to His Majesty and before he could obtain the benefit of His Majesty's pardon, Sir William Berkeley seized fifteen hogsheads of tobacco to his own use, and praying restitution, His Majesty being very desirous to have the Petitioners restored to whatever may have unjustly been taken from them in the hurry and distraction of the late rebellion there, orders that said petition and papers annexed be referred to Lords of Trade and Plantations for their report. 2 *pp.* [*Col. Papers, Vol. XLI., No.* 130.]

Dec. 22. **530.** Petition of Sands Knowles of Gloucester county, Virginia, to the King. Setting forth the seizure of himself and servants and the plundering of his estate to the value of 400*l.* sterling, by Major Robert Beverley in October 1676, and his having obtained the benefit of His Majesty's pardon. Prays for the restitution of his estate. 1 *p.* [*Col. Papers, Vol. XLI., No.* 132.]

Dec. 22. **531.** Petition of Sands Knowles to Governor Herbert Jeffreys. For permission, for the reasons therein stated, to put in security

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according to the tenor of His Majesty's Proclamation of Pardon, with certificate by Sam Wiseman that Petitioner duly performed what is enjoined by said Proclamation. 1 *p.* [*Col. Papers, Vol. XLI., No.* 133.]

Dec. 22. **532.** Petition of Sands Knowles to the Commissioners for Virginia. That Major Beverley has seized his servants, and negroes and goods to the value of 400*l.* sterling. Prays he may receive the full benefit of His Majesty's pardon, and have liberty to recover his estate. *Annexed,*

532. I. II. III. Three depositions taken in Virginia in behalf of Petitioner concerning his losses and imprisonment. 4 *pp.* [*Col Papers, Vol. XLI., Nos.* 134, 134 I. II. III.]

Dec. 22. **533.** Order of the King in Council. On petition of Sands Knowles of Gloucester county, Virginia, with the papers annexed, praying restitution of his estates there, referring same to Lords of Trade and Plantation for their report, that thereupon His Majesty may declare His further pleasure. 1 *p.* [*Col. Papers, Vol. XLI., No.* 131.]

Dec. 22. Whitehall. **534.** Order of the King in Council. On petition of William Mumford, of London, Merchant, on behalf of Alexander Walker, of Virginia, Planter, for restitution of his goods seized by Sir William Berkeley and converted to his own use, Petitioner's only offence being the taking Bacon's unlawful oath, which he was forced to by threats; referring same to Lords of Trade and Plantations for their report. 2 *pp.* [*Col. Papers, Vol. XLI., No.* 135.]

Dec. 22. **535.** Petition of Thomas Martin, Receiver in Jamaica to the King. That notwithstanding His Majesty's letters to Governor Lord Vaughan, Petitioner is still a prisoner as by the annexed certificate will appear. Prays His Majesty to give further orders for his release. *Annexed,*

535. I. Certificate of Sir Henry Morgan. That at Martin's request he delivered on 24th November last the King's letter to Lord Vaughan to admit Petitioner to his office, but that he is still a prisoner in the gaol of St. Jago de la Vega. St. Jago de la Vega, 1677, Dec. 8. *Two copies.*

535. II. Order of the King in Council. On above petition of Martin. That Lord Carlisle, Governor of Jamaica, on his arrival, cause Petitioner to be forthwith discharged from his confinement and restored to the full enjoyment of his office pursuant to his grant and His Majesty letters of 14th July and 28th September last. Whitehall, 1678, March 27. [*Col. Papers, Vol. XL., Nos.* 93, 93 I., II.]

Dec. 22. **536.** Petition of Thomas Martin, Receiver of Jamaica to the King. Recites the proceedings on his previous petitions and prays His Majesty to recommend Petitioner to the particular regard of the Earl of Carlisle now going as Governor to Jamaica so that on his

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Lordship's arrival Petitioner may be effectually relieved and restored to his office "Read in Council 22 Dec. 1677." *Also,*

536. I. Order of the King in Council on preceding petition. His Majesty out of his princely compassion of the great sufferings and hardships Petitioner has undergone is pleased to grant his request and it is ordered that as soon as Lord Carlisle arrive in Jamaica he restore Petitioner to the full exercise of his office and assist him all that can be in the recovery of the profits and damages for his unjust imprisonment and great expense. Whitehall, 1677, Dec. 22. [*Col. Papers, Vol. XLI., No.* 136, *and Col. Entry Bk., Vol. XXIX., pp.* 177–179.]

Dec. 24. **537.** Colonel Francis Moryson to Sir Thomas Dolman, Clerk of the Council. Is glad to hear His Majesty has ordered Captain Gardner a reward for his eminent services. Is in favour of his having a reward, both his imprisonment and sickness were a great charge to him and loss to his owners in neglecting their service. 2 *pp.* [*Col. Papers, Vol. XLI., No.* 137, *and Col. Entry Bk., Vol. LXXX., pp.* 212–3.]

Dec. 24? **538.** "Memorial for my Lord Privy Seal in Capt. Gardner's business." Being abstract of his petition (*see ante, No.* 519.) That the Lords of Trade and Plantations agree to move His Majesty whether the 100*l.* to be paid to Gardner is to come out of the public stock of Virginia or out of his own treasure. [*Col. Entry Bk., Vol. LXXX., p.* 214.]

Dec. 27. Whitehall. **539.** The King to Colonel Herbert Jeffreys Lieutenant-Governor of Virginia. Refers to his letter of 25th August last, (*see ante No.* 391), and explains that Lord Culpeper's salary shall be paid out of the receipt of His Majesty's Exchequer here after the rate of 1,200*l.* a year since the time of Sir William Berkeley's death until 25th March next ensuing and that Jeffreys receive proportionably the like sum out of the pay appointed for the Governor of Virginia until 25th March. But that from and after that time *vice versa*, Lord Culpeper shall be paid wholly in Virginia and Jeffreys in England. He is not to intermeddle with the revenues in Virginia the King having granted all perquisites since Sir William Berkeley's death to Lord Culpeper. [*Col. Entry Bks., Vol. LXXX., pp.* 307–8, *and Vol. XCV., pp.* 235, 236.]

Dec. 27. St. John's. (Antigua). **540.** Journal of the Council and Assembly of Antigua. The whole Council and a new Assembly chosen. Ordered that the account of powder and impost of liquors be examined. Also that thirteen of the Assembly being in all 22 Members make a full House and not under. [*Col. Papers, Vol. XXV., No.* 55*.]

Dec. 30. **541.** Abstract of letter from Lieutenant-Governor Herbert Jeffreys to Colonel Francis Moryson. Impudent conduct of Robert Beverley since his departure in denying the authority of the Commission

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and calling all his proceedings unjust and illegal. Colonel Phillip Ludwel under restraint, so believes both may come home together. He shall have their accusations by the next. [*Col. Papers, Vol. XLI., No.* 138.]

Dec. 30. Virginia. **542.** Edward Rous to Secretary Sir Joseph Williamson. About ten days hence the Unity will sail with 400 of His Majesty's soldiers under his command for London. Begs for a Captain's Commission in the room of John Meoles deceased. 1 *p.* [*Col. Papers, Vol. XLI., No.* 139.]

Dec. 31. Whitehall. **543.** Secretary Sir Joseph Williamson to Mr. Ludwell. Is very glad to find him well arrived after so ill a passage, and writes this at the desire of some of Ludwell's friends on this side and to assure him that he (Williamson) is far from having entertained the least prejudice against him or any man, as to his person. Has heretofore fully explained himself on that subject. "I pray you know me better than to believe I have any other measure or rule in my judging or favouring of men in public station than their merits or demerits towards His Majesty and the service they are in, and that you shall ever find me just and punctual by the blessing of God to this principle." Shall be glad as there is occasion to hear from him, of the temper and condition things are in, and prays he will please to be impartial in it for the consequence such information may be to His Majesty's service. Alderman Jeffreys, our good friend, deserves too well of all good men to need much recommendation. [*Col. Entry Bk., Vol. XCIII., p.* 94.]

[Dec.] **544.** Warrant to Lemuel Kingdon, Paymaster to the Forces. To pay to Charles, Earl of Carlisle, out of such moneys as shall come to his hands for pay of the forces and garrisons in England, 400*l.* due to him as Governor of Jamaica on account of an allowance of 2,500*l.* per annum for the use of that island for one quarter of a year from 25th September to 25th December 1677. ½ *p.* [*Dom. Entry Bk., Chas. I., Vol. XLVIII., p.* 41.]

545. Representation of the Agents of New England. The letters of Mr. Mason, and endeavours of Mr. Randolph to the great disservice of the King, have caused a great deal of disquiet in the minds of the inhabitants of New England, to which claims are laid as if the King were resolved to alter their government and take them off from the Massachusetts, under whom they have prospered near 40 years. Although they doubt not that, on further consideration and judgment of artists in the thing, such a construction of the clause of the patent determining their bounds will be evident as to extend them to all their plantations, yet the Chief Justices' present opinion leaves out six plantations that are frontier to the enemy, and, if not under the Massachusetts, under no government at all upon the place, and so neither in a way of being levied upon towards the discharge of their share of the public debt contracted by the war, nor able in the least to defend themselves. As the continuance of these places as part of the Massachusetts will be for

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the King's service and to the content of the inhabitants, pray that the plantations be kept in their present settlement. 1 *p.* [*Col. Papers, Vol. XLI., No.* 140.]

546. Case of Ferdinando Gorges presented to the Lords of Trade and Plantations. Recapitulates the grant of Maine to his grandfather, the sum spent in planting the colony, the loss of the Province owing to the troubles in England, the restitution of the Province according to the King's order of 11th June 1664, seizure of the Province by the Boston Government after three years quiet possession, contrary to the King's mandamus of 10th April 1666, the disobedience of several of the Bostoners in refusing to come over at the King's bidding. Prays that the Province may be restored to him, that the persons who have disobeyed the King's commands be sent for over, and that satisfaction be given to those who have suffered only for acting according to the King's orders. [*Col. Papers, Vol. XLI., No.* 141.]

547. Abstract of the record of all grants of land in South Carolina during the year 1677 in continuation of those abstracted for 1674–1676 in the previous Volume of Calendar, *see Nos.* 717, 1224.

Persons Names to whom granted.	Number of Acres.	In what County, Parish, or Township, or in what River or Creek situated.	Date of Grant.
Sir Peter Colleton - -	373	Near Ashley River -	20 September 1677.
James and Thomas Colleton			
Sir Peter Colleton - -	12,000	On Cooper River -	7 September 1677.
John Chambres - -	36	- - -	20 April 1677.
Colonel John Godfrey -	300	- - -	24 October 1677.
Thomas Rose - -	500	On Ashley River -	16 June 1677.

[*Col. Entry Bk., Vol. XXIII., pp.* 1–5.]

548. Eleven Acts passed in the Island of Antigua, viz.:—I. An Act for putting the Articles of War in due execution upon this island as they are in other islands under the command of His Excellency our Captain-General. 2. An Act empowering and enabling William Byam, for himself and his brother Edward, to sell and dispose of a certain plantation at Willoughby Bay for the better paying and discharging of his father's debts and legacies. 3. An Act for the establishing and confirming of the inhabitants of this island in their titles to their lands. 4. An Act against enticing servants from their masters. 5. An Act against the unlawful practising of pretended surgeons and doctors. 6. An Act for the due paying, collecting, and receiving of gunpowder from shipping. 7. An Act against all such as shall embezzle away goods under attachment or execution. 8. An Act against indebted idlers and other persons living out of a lawful calling. 9. An Act for damning and making void several titles to land, 9th January.

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10. An Act obliging the inhabitants of this island to keep and maintain Christian men servants. 11. An Act against runaway servants, 5th July. [*Col. Entry Bk., Vol. L., pp.* 305–329.] There are copies of the Acts numbered 2, 6, 7, and 10 *endorsed*, "Recd. 25 April 1684. Read 29 Nov. 6 Dec. 1684," in *Col. Papers, Vol. XXIII., Nos.* 109, 110.]

549. Two Acts passed in Barbadoes, viz.:—An Act appointing the sale in open market of effects attached for the excise, the parish dues and servants wages. Passed 15th March 1677.

An explanatory Act to the Act of Underwritings and Arrests. Passed 11th July 1677. [*Col. Entry Bk., Vol. XV., pp.* 100–102.]

550. Titles of two Acts passed in the island of Montserrat, viz.:—An Act prohibiting the importation of Fayal wine and all liquors to be entered before landed and an impost on the same. An Act confirming levies formerly raised, Treasurers notes to be accepted, Minister and Clerk's salary, and cattle trespassing. *Printed.* [*Col. Entry Bk., Vol. LV., p.* 33.]

551. Two Acts passed in the island of St. Christopher's, viz.:—An Act for a levy. 21st May 1677. An additional Act to the Act entitled an Act for the erecting a fort on Cleverley Hill on this island. 2nd August 1677. [*Col. Entry Bk., Vol. L., pp.* 17–18.]

552. Printed paper entitled, "The Virginia Trade stated," also reasons showing "if a further imposition be laid upon Tobacco it will produce the inconveniences that follow." *Endorsed* by Sir Joseph Williamson with memorandum about Sir Thomas Sandys and some disturbance in which soldiers were "called out of their quarters" . . . he crying out murder . . . why not run that rogue through, stopped his mouth with a handkerchief and took his sword from him." *The writing is difficult to decipher.* [*Col. Papers, Vol. XLI., No.* 142.]

553. "[*Mem.*—Touching the Government of Maryland." That my Lord carries money of which he has received a 12*d.*, 6*d.*, 3*d.* No oath of allegiance taken but an oath to the Proprietor. All trials in the Proprietor's name and not in the King's. Writs sent out in the Proprietor's own name in the words "To our trusty and welbeloved in such a year of our Dominion." ½ *p.* [*Col. Papers, Vol. XLI., No.* 143.]

554. Minute of a warrant for the Attorney General to draw a patent for John Lightfoot to be Auditor General of His Majesty's Colony of Virginia, in the room of Thomas Stegg lately deceased. 1 *p.* [*Col. Papers, Vol. XLI., No.* 144.]

555. Petition of Garrett Cotter to the King. His Majesty having granted Petitioner a patent dated 9th March 1677 for the offices of Secretary and Marshal of Nevis, St. Christopher's, Antigua and

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Montserrat, with all fees, salaries and profits thereto belonging. Prays His Majesty's order to the Governor and Council to be assisting Petitioner or his Deputies in the execution of said offices. 1 *p.* [*Col. Papers, Vol. XLI., No.* 145.]

556. Petition of Manuel Martinez Dormido of London, Merchant, and Daniel Bueno Henriquez, Merchant in Barbadoes, Hebrews, to the King. That His Majesty by warrant under his Sign Manual granted Petitioners letters of denization which have passed the Signet but are denied the Privy Seal, Petitioners' religion being only objected, pray that said two bills may pass the Privy and Great Seals notwithstanding said objection, several of their nation having enjoyed lately the like privilege. *Signed by the first Petitioner.* [*Col. Papers, Vol. XLI., No.* 146.]

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Jan. 2. Plantation Office. **557.** William Blathwayt to Colonel Moryson. His report and narrative concerning Gardner and Drummond have been received. Though Drummond's guilt be very great, it has been the sense of the Lords of Trade and Plantations that the case of the poor widow and her children is very deplorable, and a fit object of His Majesty's compassion. *Draft with corrections.* [*Col. Papers, Vol. XLII., No.* 1.]

Jan. ? **558.** Minutes of the Lords of Trade and Plantations in reference to the petition and case of Captain Thomas Gardner. He took Bacon prisoner, who prosecuted him for this injury and loss of his sloop. Gardner was imprisoned, and gave bond for payment of 70*l.* to Bacon. Bacon is attainted, and the bond and rest of his estate forfeit to the King. Gardner petitions for reimbursement. To move His Majesty as to the payment of 100*l.* as a reward to Gardner. [*Col. Papers, Vol. XLII., No.* 2.]

Jan. $\frac{2}{12}$. Barbadoes. **559.** Governor Sir Jonathan Atkins to Lords of Trade and Plantations. Refers to his last letter of 28th November (*see ante, No.* 498). When the French fleet left our coast they sailed directly for Tobago; the Dutch were very much dismayed, having neither men nor provisions. The French put 1,000 men ashore, who entrenched themselves upon a hill near the fort, commanded by Monsieur Blinart, now General, in the place of De Baas, and the third shot from a mortar piece fell into a house where Admiral De Binkes was, and most of the officers within the fort, and where their ammunition was, which blew up and killed De Binkes, who deserved a better fate for his behaviour in the former engagement, with him the officers and 250 men were slain. This put them into such a consternation that they surrendered at discretion, and the French carried to Martinique five or six hundred prisoners. They have demolished the fort, burnt all houses, and carried all the people and ordnance with them, and so have quit the island, with which we here are not much displeased. Believes he shall hear next the French have taken Surinam, a place in no condition to resist. Cannot tell whether they will attempt Curaçao, but conceives they

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have more considerable designs in America. Is informed that the buccaneers, as they are called, are preparing a fleet of 18 sail, and expect a fleet from France to join them. Passports received from Count D'Estrées by the Commanders of two Dutch men of war riding in this road giving leave to the 600 prisoners to be transported in those two ships to their own country. Encloses the transactions of their late Sessions of Gaol Delivery; there were many criminals in prison. The woman that killed her husband was burnt according to the law. Proofs against the fellow that poisoned his master were very slender, and, as the chief proof was a boy not above eleven years old, reprieved the prisoner, "and more particularly because here wanted a hangman, which is hard to get here, and he now supplies that office." Has reprieved Charles Grimlin for killing his maid servant at the earnest importunity of most of the Ministers and very many gentlemen of the island. For clippers of money the jury stuck at two things, whether the Acts of Elizabeth, and later Acts made before any settlement here, could be extended to these islands, and also whether foreign coin current here by His Majesty's proclamation shall be refused within the Act. 3 *pp. Encloses,*

559. I. An abstract of the whole business heard and determined before His Majesty's Commissioners of Oyer and Terminer and General Gaol Delivery for Barbadoes in November and December 1677. With names of those present, viz., Members of the Council, Judges of the Common Pleas, Justices of the Peace, Coroners, Counsel, Marshals and Juries of the grand inquest and of life and death. Total, 43 cases. 11 *pp. Endorsed*, Rec. 24 Feb. 1678. [*Col. Papers, Vol. XLII., Nos.* 3, 3 I., *and Col. Entry Bk. Vol. VI., pp.* 219–223.]

Jan. 3. **560.** Representation of the late Commissioners of Virginia to the Lords of Trade and Plantations. That the several Petitions herewith given in according to promise when in Virginia to the poor Petitioners may be read and considered and reported on to His Majesty—that so they may receive such redress as their respective cases require, and be mentioned in a general letter to Virginia or otherwise as may seem most expedient. "The *petitions are in two small bundles delivered in* by Sa. Wiseman." *See next Abstract.* 1 *p.* [*Col Papers, Vol. XLII., No.* 4.]

Jan. ? **561.** "Personal grievances of divers inhabitants within His Majesty's Colony of Virginia, proved before us, His Majesty's Commissioners by oath, all which we do herewith (according to their desires) most humbly present, in their own words, as we received the same, and do give this short abstract as followeth:" Then follow the abstracts of the several petitions, with, in parallel columns, the Commissioners observations and opinions. Names of Petitioners, viz.: Alexander Walker, Henry Jenkins, Otho Thorp, Thomas Grendon, Thomas and William Dudley, John Page, William Hunt, Nicodemus Prynne, Thomas Palmer, Sandes

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Knowles, William Howard, John Deane, John Williams, Thomas Bobby, Nicholas Loope, John Johnson, James Barrow, William Hoare, Edward Lloyd, Thomas Glover, Andrew Godean, William Rowland, Thomas Lushington, Richard Clarke, and George Seaton. *Most of the Petitions above-named will be found calendared under their respective dates in March, April, and May* 1677. [*Col. Entry Bk., Vol. LXXXI., pp.* 337–352.]

Jan. **562.** Petition of Samuel Wiseman to Lords of Trade and Plantations. That he went to Virginia with His Majesty's late Commissioners, and has constantly attended His Majesty's service there and at home, up to their dismission, as clerk to that Commission. Has written three reams of paper besides three large books of their proceedings, one for each Commissioner and only received 100*l.* towards all his expenses. Prays for some further allowance for his services. "Read, 26 Jan. 1678." *Col. Entry Book, Vol. LXXXI. is almost all of it in the handwriting of Wiseman and is probably one of the "three large books" he refers to, and a great many papers in the Colonial Correspondence are also in his handwriting. Annexed,*

562. I. Certificate signed by Sir John Berry and Colonel Frances Moryson, late Commissioners for Virginia. In favour of and relation to the services of Samuel Wiseman, clerk to the late Commission, who behaved himself with great honesty and unwearied industry. 1678, Jan. 3.

562. II. Colonel Moryson to William Blathwayt? In favor of Samuel Wiseman an able clerk to the Commissioners for Virginia, wherein he carried himself most industriously and honestly without looking at all to his own benefit but wholly to His Majesty's service. Persuaded him to undertake the voyage to Virginia upon Sir Joseph Williamson's assurance that this employment should be but an earnest to a better; he had only a poor 100*l.* to set him out and provide for his family he left behind him, so that he cannot have sixpence. Thinks a man so qualified might easily get into some way of living, especially at these times when there will be use of honest men and good scribes. The Lord Chancellor told the writer His Majesty must use Wiseman's services in setting the laws of Virginia, beseeches his advocacy with the Lords of Trade and Plantations that there may be a compensation settled for Petitioner's pains and charge. Together three papers. [*Col. Papers, Vol. XLII., Nos.* 5, 5 I–II. *and Col. Entry Bk., Vol LXXX., pp.* 245–248.]

Jan. 8. Nevis. **563.** Governor Stapleton to Lords of Trade and Plantations. Their letter of 10th September (*see ante No.* 404) came last night. Gratitude for their Lordships extraordinary care and goodness by their ample representations to his Majesty on all the public and private grievances he offered, and for their character of him. Designs next week to visit all the islands, and then answer their Lordships

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enquiries. Has re-appointed the Collector of the 4½ per cent. Taking of Tobago by the French Squadron when the Dutch Commander and all his officers were blown up, and the French lost but one man. The French expect more ships and 500 soldiers. 1 *p.* *Mem.*—On 13th March this letter and a list of the French ships in the West Indies was received and delivered to the Lord Privy Seal and other Lords and read by them. [*Col. Papers, Vol. XLII., No.* 6, *and Col. Entry Bks., Vol. XLVI., pp.* 259–262, *and Vol. CV., p.* 222.]

Jan. 8. Nevis. **564.** Governor Stapleton to [Secretary Sir Joseph Williamson]. Has received his commands from Whitehall of 30th October 1677, and expresses his gratitude. Has desired Captain William Freeman to give him a list of the officers blown up at Tobago by a shell from the French camp which fell in the magazine where there were 1,500 barrels of powder, they design to destroy Curaçao and Porto Rico, if a Dutch squadron which is now in the Indies does not obstruct their proceedings. 1 *p.* [*Col. Papers, Vol. XLII., No.* 7.]

Jan. 8. Insula Nevis. **565.** Governor Stapleton to William Blathwayt. Has but a short time to acknowledge their Lordships commands and despatches by this ship. Will gladly serve him in his sphere when occasion offers. "Rec. 13 March." [*Col. Papers, Vol. XLII., No.* 8.]

Jan. 9. Whitehall. **566.** Lords of Trade and Plantations to Colonel William Stapleton, Governor of the Leeward Isles. Enclose petition of Dame Joan Hall as a matter arising within the limits of his Government and desire him to make enquiries into the Petitioner's allegations that by his report their Lordships may be enabled to represent to his Majesty what is most fit to be done. *Enclose,*

566 I. Petition of Dame Joan Hall, widow, the relict and executrix of Colonel Christopher Keynell, late of Antigua, to Lords of Trade and Plantations. *See ante No.* 468. [*Col. Entry Bks., Vol. XLVI., pp.* 254–257, *and Vol. CV., p.* 197.]

Jan. 9. Whitehall. **567.** Lords of Trade and Plantations to Governor Stapleton. Directing him to administer the oath to the Deputy Governors under his Government for the due execution of the Acts of Trade and Navigation for which his Majesty has sent him a Commission under the Great Seal. *Mem.*—A Commission was also sent to several gentlemen of the Leeward Isles to administer the oath to Governor Stapleton. [*Col. Entry Bks., Vol. XLVI., pp.* 257–258, *and Vol. CV., p.* 197.]

Jan. 9. **568.** Lords of Trade and Plantations to Council of Barbadoes. Send the King's Commission to administer to Governor Sir Jonathan Atkins an oath for the due observance of the Acts of Trade and Navigation pursuant to an order of the Privy Council of 24th October last. [*Col. Entry Bk., Vol. VI., pp.* 209–210.]

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Jan. 12. Whitehall. **569.** Journal of Lords of Trade and Plantations. Mr. Attorney General reported the alterations made by him in the laws of Jamaica, which were all approved. Sir Richard Temple and Sir George Downing, Commissioners of Customs, attend in relation to the law for raising a public revenue when their report of 14th December *(see ante, No.* 521) is read, upon which their Lordships make certain resolutions. Drafts of the Earl of Carlisle's Commission and Instructions considered; to be compared with those to Lord Vaughan.

Jan. 14. Opinions concerning the power of the Earl of Carlisle, as Vice-Admiral of Jamaica, to erect Courts of Admiralty. Clause in his instructions relating thereto. Also in reference to Members of Council suspended by the Government to be incapable, during such suspension, of being admitted into the Assembly. Additional article settling the manner of making laws.

Jan. 15. Draft of instructions to the Earl of Carlisle, delivered by Secretary Coventry on 12th instant, read, and alterations agreed to. The 4th paragraph to run thus, "And to communicate such of your instructions as you shall find convenient to be imparted unto them" [the Council].

Jan. 17. The remaining part of the Earl of Carlisle's instructions taken into consideration, and alterations agreed to; also his Commission, to which additions are made, concerning raising money and mines royal. Mr. Attorney General to be desired to prepare a clause for settling a mint in Jamaica pursuant to the Order in Council, and that a clause to the same effect be put in the instructions, and for the sending over bullion to be coined here for the use of that island.

Feb. 2. Mr. Secretary Coventry sent for the Commission and instructions prepared for the Earl of Carlisle, which were accordingly delivered. [*Col. Entry Bk., Vol. CV., pp.* 195–204, 216.]

Jan. 13. Whitehall. **570.** The King's warrant to Charles, Earl of Carlisle, Captain-General of Jamaica. To cause drums to be beat about the city of London for raising 200 men for His Majesty's service in Jamaica. ¾ *p.* [*Dom. Entry Bk., Chas. II., Vol. XXIX., p.* 230.]

Jan. 13. Whitehall. **571.** Commission to Charles, Earl of Carlisle, Captain-General and Governor-in-Chief of Jamaica and the territories depending thereon, to be Captain of a company of foot, consisting of 100 men besides officers, to be raised for His Majesty's service in Jamaica. [*Dom. Entry Bk., Chas. II., Vol. XXIX., p.* 230.]

Jan. 13. Jamaica. **572.** A like Commission to Sir Henry Morgan, Lieutenant-Governor of Jamaica, to be Captain of a company of 100 men besides officers. Also Commissions to Ralph Fetherstonhaugh to be Lieutenant, to Sir Henry Morgan; Elias Markham to be Ensign to the Earl of Carlisle, John Tolderoy to be Lieutenant to the Earl of Carlisle, and Usher Tyrell, gent., to be Ensign to Sir Henry Morgan. [*Dom. Entry Bk., Chas. II., Vol. XXIX., p.* 235.]

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Jan. 13. Jamaica. **573.** Commission to Sir Francis Watson, Knight, to be Major-General of the Forces employed and to be employed in Jamaica. *Minute only.* [*Dom. Entry Bk., Chas. II., Vol. XXIX., p.* 237.]

Jan. 14. St. Christopher's. **574.** Proclamation of Colonel William Stapleton, Governor of the Leeward Islands. That all passes granted in St. Christopher's to ships entered out for His Majesty's plantations, determine within six months of the date of this Proclamation and passes granted before this date to ships entered out for Europe determine upon their return. [*Col. Papers, Vol. XXVIII., No.* 69, *p.* 16.]

Jan. 15. **575.** Journal of Lords of Trade and Plantations. Letter of 3rd October last read from the Council and Assembly of Barbadoes (*see ante, No.* 421), whereupon ordered that Sir Peter Colleton and Colonel Thornburgh, who had petitioned for the pikes, give their attendance when the business of Barbadoes shall be considered. *Mem.*—This letter was transmitted from Sir Jonathan Atkins by Mr. Stede, Deputy Secretary of Barbadoes.

Draft of instructions to the Earl of Carlisle (for Jamaica) delivered by Secretary Coventry. Resolutions on several articles in reference to communicating his instructions to the Council, that Members of the Council may be made Judges, the manner of making laws, and the oaths of allegiance and supremacy for the Assemblymen, and the laying of customs upon imports or exports to be left out, "the consideration being now ceased for which it was recommended to former Governors."

Mem.—On 16th their Lordships sign a letter to several Members of the Council of Barbadoes transmitting a commission to them for administering to Sir Jonathan Atkins the oath for the due execution of the Acts of Parliament concerning trade and navigation. [*In Col. Entry Bk., Vol. VI., pp.* 209, 210, this letter will be found, which is there stated to have been signed by their Lordships on 9th January.]

Jan. 17. The remaining part of the Earl of Carlisle's instructions taken into consideration, and also his Commission. Mr. Attorney General to be desired to prepare a clause for settling a mint in Jamaica, and for sending over bullion to be coined there for the use of the island.

Jan. 19. Letter read from Sir Jonathan Atkins, dated 16th September (*see ante, No.* 403). Upon the first head their Lordships after debate agree to write to Governor Atkins signifying their dislike of this complaint made by him and the Assembly about sending over pikes, inasmuch as Sir Peter Colleton and Colonel Thornburgh concurred that there was a necessity for them, and their Lordships cannot but report to the King that the 1,500 pikes be sent, and the country pay for them according to custom. On the second head they agree to report that the Assembly may be their own chapmen for the arms they provide for their own defence. Their Lordships will also acquaint Governor Atkins that Sir Peter Colleton did not voluntarily meddle with the proposal of pikes, but was called in by their Lordships to give his opinion. In relation to the Royal

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African Company, Governor Atkins is to be admonished that they did never accuse him without great cause for injuries not as yet reformed. On the fourth head ordered that extracts be made of all Governor Atkins' letters and accounts concerning artillery arms and ammunition, so that their Lordships may judge how satisfactory his returns have been. On the fifth article their Lordships will assure Governor Atkins that all due care is had of his papers, and such secrecy used as the nature of them requires. [*Col. Entry Bk., Vol. CV., pp.* 201–208.]

Jan 16. Westminster. **576.** Grant to Robert Ayleway, of the office of Auditor-General of the Colony of Virginia, during life, with the like fees, profits, and advantages as Edward Diggs or Thomas Stegg, or any other heretofore executing said office hath received or enjoyed. 4 *pp.* [*Col. Papers, Vol. XLII., No.* 9.]

Jan. $\frac{16}{26}$. Madrid. **577.** Sir William Godolphin to [Captain Ccoke]. Has received His Majesty's new commands about the ship Virgin, and as soon as things appeared with a clearer face "I presented my new Memorial on your behalf to this King." It is remitted to the Council of the Indies. Their defence hitherto has been only certain arts to gain time. Has spoken earnestly to Don Juan of Austria on the business, and will use all diligence to draw from them a positive and plain answer one way or the other. Has received Secretary Coventry's repeated directions in the affair. *Annexed,*

577. I. The King of Spain's commission to Don Juan Baptista de Santiago, Lieutenant-Governor of the Island of Cuba and City of the Havanna. Commanding him to execute the former commission of the Queen, late Regent of Spain, dated 2nd July 1675, for restoring to Captain Edmund Cooke the value of the ship Virgin and her lading. The original of this commission was offered by the Lord President of the Indies to Lord Ambassador Godolphin in answer to his new instances, but rejected by his Excellency as insufficient and no ways satisfactory, for reasons which he gave at large.

577. II. The King of Spain's order for satisfaction for the ship Virgin. Madrid 1678, Feb. 15.

577. III. Order of the King in Council. That Secretary Coventry take care that in the treaty with Spain now under consideration provision be made for the losses sustained by Captain Cooke. *Together, four papers.* [*Col. Papers, Vol. XLII., Nos.* 10, 10 I., II., III.]

Jan. 18. Whitehall. **578.** Order of the King in Council. Approving Report of the Lords of Trade and Plantations of 20th December 1677, on petition of Captain Thomas Gardner, and directing payment of 100*l.* by Gawen Corbin out of the public stock of Virginia to Petitioner. 3 *pp.* [*Col. Papers, Vol. XLII., No.* 11, *and Col. Entry Bk., Vol. LXXX., pp.* 219–221.]

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Jan. 18. Whitehall.

579. Order of the King in Council. Upon a Report of the Lords of Trade and Plantations, dated 11th December 1677, in reference to the Colony of Virginia, and several papers, letters, and narratives, transmitted to Secretary Coventry by Colonel Jeffreys, Sir John Berry, and Colonel Moryson, His Majesty's Commissioners for Virginia, but particularly as to three laws made at Green Spring, 20th February last, viz., of indemnity and free pardon; of attainder; and inflicting pains, penalties, and fines upon great offenders; approving said Report, and directing that said laws and all others made in Virginia, either disagreeable to the powers residing there or derogatory to His Majesty's Proclamation of Pardon, be in due time abrogated and made void; and that all persons, whether tried or not, be rendered capable of the conditions in said Proclamation in relation to His Majesty's pardon and restitution of all confiscations made by Governor Berkeley upon his proceedings contrary thereto. Also that a new Proclamation be immediately issued out confirming the former and restoring the persons who have been confiscated contrary thereunto; that the Government in Virginia countenance prosecutions against such of the rebellious party as possess the goods of honest men; and that laws be prepared for the punishment of those who persisted in abetting said rebellion and contemned the offer of pardon. 7 *pp.* [*Col. Entry Bk., Vol. LXXX., pp.* 222–229.]

Jan. 18. Whitehall.

580. Order of the King in Council. On Report of Lords of Trade and Plantations to the King of 18th December 1677, in reference to including the neighbouring Colonies to Virginia in the late Peace and any other treaties for peace with the Indians, approving same, and directing Secretary Coventry to proceed therein according to their Lordships' opinion and advice. [*Col. Entry Bk., Vol. LXXX., pp.* 243–245.]

[Jan. 18.]

581. Petition of Rowland Simpson to the King and Privy Council. Sets forth the depredation committed by Captain Bernard Lemoine, a French privateer, in seizing 309 hogsheads of sugar on board the Golden Lion, and carrying said ship into France, where, ever since January 1674 petitioner has been endeavouring to obtain satisfaction, and prays that letters of marque or reprizal be forthwith granted to him. "Rec. 18 Jan. Read at the Committee 21 Jan. 1677–8." *Annexed,*

581. I. Minutes of the Lords Committee of Trade and Plantations. After consideration of the above petition and very long debate it is thought fit to propose to Sir Thomas Exton and Sir Richard Lloyd, Judges of the Admiralty, the question whether Petitioner's goods under the circumstances set forth be subject for letters of reprizal. *Two papers. Draft and fair copy.* "Read in Council, 8 Feb. 1677–8."

581. II. The Report of Sir Richard Lloyd and Sir Thomas Exton on the above question of law. That there are just

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grounds for granting to Simpson letters of reprisal. Doctor's Commons, 1678, 29th January.

581. III. Petition of Rowland Simpson to the King and Privy Council. Sets forth what has been done on his previous petition, incloses report of the Judges of the Admiralty, and prays that letters of marque or reprisal be forthwith granted to him that so Petitioner and his family may be preserved from ruin. "Read in Council 8 Feb. 1677–8."

581. IV. The Report of the Judges of the Admiralty above referred to. *Duplicate of Inclosure No.* 581 II. *Together, five papers.* [*Col. Papers, Vol. XLII., Nos.* 12, 12 I.–IV., *and Col. Entry Bk., Vol. CV., pp.* 209–210.]

Jan. 19. St. Christopher's. **582.** Governor Stapleton to Lords of Trade and Plantations. Is now going from one island to another to obey what their Lordships require of him. The 57 soldiers are arrived, as he has informed Lord Craven, by whose orders they were shipped, "but my Lords "in that condition that never soldiers were sent without arms, "ammunition or money to subsist withal not as much as a sword "nor the ammunition loaf to a place where there is no magazine or "any stores to be purchased." The two companies they have completed have hardly any themselves, arms decay here more than anywhere. Submits to their Lordships serious consideration how dishonourable to the King and nation to send soldiers to garrison where French and Dutch are spectators of such their naked condition. They have given him one of the greatest confusions he ever had. Sent to Tobago to purchase French or Dutch muskets, but the island is deserted of both nations. Captain Haddock, of the Quaker Ketch, brought instead seventy or eighty negroes the Indians were carrying away. The Count d'Estrées expected in the French part of this island, from thence to Porto Rico or Curaçao or to both if successful in the first. The 300 malefactors when arrived will be benefactors, as they will increase our numbers. The arms and ammunition, the seal and 500*l.*, for erecting a fort, are wanting. A fort begun. Forts building in the French island under an engineer sent by the King of France. Necessity of a fund being settled for the soldiers' pay. "Rec. 1 April 1678." 1½ *pp.* [*Col. Papers, Vol. XLII., No.* 13, *and Col. Entry Bk., Vol. XLVI., pp.* 262–265.]

Jan. 21. Office of Ordnance. **583.** An account of the ordnance, carriages, shot, powder, and other stores and habiliments of war issued out of His Majesty's stores and shipped on board the Unity of London, Arthur Haire, Commander, to be transported to Nevis and delivered to Governor Stapleton, since the time of his government, which began in 1672. Total, 1,039*l.* 12*s.* 2*d.* "Rec. from the Office of Ordnance, 15 April 1678." 1 *p.* [*Col. Papers, Vol. XLII., No.* 14, *and Col. Entry Bk., Vol. XLVI., p.* 270.]

Jan. 22. **584.** Journal of Lords of Trade and Plantations. Governor Atkin's letter of $\frac{1}{2}\frac{3}{8}$ May last (*see ante, No.* 241) considered, and

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having read answer of Royal African Company (*see ante, No.* 369), and opinion of the Solicitor-General (*see ante, No.* 346), that negroes ought to be esteemed goods or commodities forbidden to be exported out of His Majesty's Plantations in other than English shipping, their Lordships will report that this trade with the Spaniards ought not to be permitted, and also upon this pretence the Spaniards may entertain a trade for all other commodities upon the island. [*Col. Entry Bk., Vol. CV., p.* 211.]

Jan. 22. **585.** Minutes of the Council of Barbadoes. Present, Sir Jonathan Atkins, Governor, Henry Drax, Samuel Farmer, Samuel Newton, John Peers, Simon Lambert, and John Stanfast. Ordered that John Witham be sworn a Councillor, and he accordingly took the oath and his place in the Council. [*Col. Entry Bk., Vol. XI., p.* 297.]

Jan. 22–24. **586.** Journal of Assembly of Barbadoes. The House, apprehensive of a war, conclude it of absolute necessity to provide for defence of the island by repairing the forts and erecting new ones furnished with arms and other necessaries. Ordered by Governor, Council, and Assembly, that John Hallett, Treasurer, send for England for 1,000 iron shovels for the fortifications and 500 ammunition swords, the charge to be allowed out of the moiety of the duty on wines and liquors reserved to public use, also 4,000 steel lance heads according to pattern. Ordered, that a Bill be prepared for assessing the labour of hands from the owners of land, and for setting a tax on the towns for repairing the fortifications. The Jews to be rated by the vestries. The Bill entitled an Act for the Supply of Labourers for Repairing Fortifications and Building new passed.

Jan. 24. An Act appointing a committee for settling the public accounts of this island, passed. Also an Act to continue an Act for allowance of a second free entry of the dead productions of this island lost or taken, and relating to the four-and-a-half per cent. Petition of Cornwall Somers granted, and Colonel William Bate, treasurer, to give credit for the duty of three pipes of Madeira, and John Hallett, treasurer, to give petitioner credit for ten pipes. Thomas Larkham, gunner of Charles Fort, William Bragg, gunner of Willoughby's Fort, Henry Cross, gunner of James Fort, and John Hare, gunner of New Battery, to be paid their respective salaries. On petition of Jane, widow of Richard Barnes, killed by a great gun in one of the forts, ordered that Petitioner be paid 3,000 lbs. of muscovado sugar per annum during her widowhood. Petition of Mrs. Dorothy White to be recommended to the Governor and Council to be tender of the privileges of infancy, and not to subject estates of this country to debts further than by law they are subject. Petitions of William Brooking, purser of H.M.S. Constant Warwick, to be allowed 9*l.*, duty on five hogsheads of brandy, and of Captain John Johnson to be allowed duty on thirty tons of beer, sour and unsaleable. Adjourned to 19th February. [*Col. Entry Bk., Vol. XIII., pp.* 289–294.]

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587. Order of the King in Council. On enclosed petition of William Stoughton and Peter Bulkeley. That copies of said petition and papers annexed, and also of a petition of Mason and Gorges relating to the government of the Provinces of Maine and New Hampshire, be delivered to the Lords of Trade and Plantations, to consider the matter of both petitions and the true state of that Colony, and report their opinion thereupon. *Enclosed,*

587. I.–II. Petition of William Stoughton and Peter Bulkeley to the King. Having received a signification of the King's promise of pardon to the Massachusetts Government, and particularly of the offence of coining money without the King's authority, with His Majesty's license for setting up a Mint within said Colony for coining gold and silver with such impress as His Majesty shall think fit to pass current in said Colony only, and the matter between the Company and Mr. Mason and Mr. Gorges being settled by the Lords Chief Justices' Report, that denies Mr. Mason's right of government, but excludes from the bounds of the Massachusetts the four towns of Dover, Portsmouth, Exeter, and Hampton, the inhabitants of which by the annexed petitions have prayed to be continued under the Massachusetts; implore His Majesty to add the grant of these four towns, with the land and royalties, and the liberty of coining there. With the underwritten reference:—"His Majesty hath thought fit that this Petition and the Papers thereunto annexed be brought into the Councell with all convenient speed, to be there considered and such resolution taken thereupon as shall seeme best for His Majesty's service and the good of that his Colony in New England." *Signed by* H. Coventry. Whitehall, Dec. 16, 1677. *Two copies.*

587. III. Petition of the Inhabitants of Dover upon Piscataqua to the King. That through the goodness of God and the favour of His Majesty, "which like the sweet influences of superior or heavenly bodies to the tender plants have cherished us in our weaker beginnings, having been continued through your special grace under your Majesty's protection and government of the Massachusetts, to which we voluntarily subjected ourselves many years ago, yet not without some necessity in part felt for want of government and in part feared upon the account of protection." Are earnest suppliants to be continued under the jurisdiction of the Massachusetts as formerly. *Signed by* John Evens, William Shuckford, and thirty-seven others. Dover, 1677, Oct. 22.

587. IV. Petition of the Inhabitants of Portsmouth on Piscataqua to the King. "The fear of losing the long enjoyed and still desired benefit of the Massachusetts Government hath occasioned us to adventure to speak unto our Sovereign Lord the King; it may be the words of our Lord the King may be comfortable to us, and he may perform the

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request of his servants that we may be continued and settled under the same jurisdiction as formerly unto which we at first voluntarily subjected ourselves and have never yet had any cause to repent of our so doing." *Signed by* Joshua Moody, Tobias Leare, and fifty-four others. Portsmouth in Piscataqua river 1677, Oct. 22.

587. v. Memorial of the Inhabitants of Exeter. Desiring that their names be inserted should an address be sent to the King praying that they may be continued under the Massachusetts Government. *Signed by* Samuel Dudley, John Gillman, and thirty others.

587. vi. Petition of the Inhabitants of Hampton (co. Norfolk), New England, to the King. "Awed by the Divine aphorism of that wisest of Princes who hath commanded us to fear God and honor the King and not meddle with men given to change," beseech if it may consist with His gracious pleasure and their allegiance and duty that they may be continued under the Government of the Massachusetts. *Signed by* Seaborne Cotton, Christopher Hussey, and forty-seven others. Hampton, 1677, Oct. 22.

587. vii. Petition of Robert Mason and Ferdinando Gorges to the King. It having been decided that the Massachusetts Government have no authority over the rich and extensive Provinces of New Hampshire and Maine, Petitioners, sensible of the mischief that has befallen those Colonies from a divided Government, offer to surrender to the King their right to government, when it shall please him to establish a General Governor in those parts. Pray that, if it is not the King's pleasure to establish a General Government over all New England, a Governor may be appointed over the two Provinces of New Hampshire and Maine; for the great damage sustained by the usurpation of the Massachusetts, they submit the manner of their reparation to the King's pleasure. *Underwritten:*—"Read 9 Jan. 1678. Referred to the Comtee. 23rd." *Together, eight papers.* [*Col. Papers, Vol. XLII., Nos.* 15, 15 i.–vii.; *also Col. Entry Bk., Vol. LX., pp.* 239–247.]

Jan. 24. Nevis. **588.** Governor Stapleton to Lords of Trade and Plantations. How the five ministers sent over by the Bishop of London are disposed of. In St. Christopher's, Mr. Davis and Mr. Milward; in Nevis, Mr. Foster; in Montserrat, Mr. Mollineux; in Antigua, Mr. Jones and one Mr. Lambert, "who is none of the six nominated" by the Bishop, the sixth being left behind: if Mr. Grief comes he shall be provided for as well as any. Does not question but that each will have as good as 100*l.* sterling per annum or 16,000 lbs. of sugar, besides the perquisites of marriages and funeral sermons. "Rec. 1 April 1678." [*Col. Papers, Vol. XLII., No.* 16, *and Col. Entry Bk., Vol. XLVI., pp.* 265, 266.]

Jan. 26. Whitehall. **589.** Journal of Lords of Trade and Plantations. In reference to a petition of Samuel Wiseman, late Clerk to the Commissioners

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for Virginia, praying for a reward for his services; also certificate of Sir John Berry and Colonel Moryson in favour of Petitioner for preferment. Agreed to represent Petitioner to His Majesty as a person fit to be employed in His Majesty's service.

Report made by their Lordships on the ship Sherrard of Boston, and letter ordered to be sent to the Judges of the Admiralty. On the ship Sherrard being condemned upon revision in France without other reason given than that she had not touched at an English port since her purchase in Holland, the following points arose:—(1) whether every prince in war has not power to make what laws he please as to the trade and commerce that friends or neuters are to exercise with his enemies; what goods to be prohibited, and under what sorts and degrees of penalties even though such goods be not otherwise according to the general law of nations contraband, supposing there is no treaty of commerce between such prince and his allies; (2) what sort of publication is necessary for such prince to make his allies concerning these laws; (3) whether there be any ordinance in France forbidding to purchase foreign ships that can justify the capture and confiscation in this case. The opinions of the Judges of the Admiralty are desired herein. Council Chamber, 1678, Jan. 26. [*Col. Entry Bk., Vol. CV., pp.* 212–213, 215.]

Jan. 30. Virginia. **590.** Daniel Parke to Secretary Sir Joseph Williamson. Encloses, in obedience to his commands, the best account he can give of Virginia. *Enclosed,*

590. 1. D. Parke to Secretary Williamson. Arrived in Virginia, 25 October 1677, and waited upon the Governor next day, whom he found very sick and weak and very unfit for business, the Assembly was then sitting. The King's letter making void Sir W. Berkeley's proclamation and assuring his subjects of His Majesty's grace and mercy was concealed for some time by order of the Council, the Secretary and his brother Colonel Philip Ludwell saying it was procured from the King by false information; but has since been published to the great joy of all the burgesses and people except Sir W. Berkeley's party. Evils the country has suffered through the King's letter having been concealed; fears of Berkeley's return and confirming all done by the Assembly at Green Spring. Great poll-tax levied upon the people, very heavy upon the poorer sort. *Together* 3 *pp.* [*Col. Papers, Vol. XLII., Nos.* 17, 17 I.]

Jan. 30. Derby House. **591.** Samuel Pepys to Matthew Lock, Secretary at War. Is commanded by the Duke to ascertain the names of the ships ready to transport 425 soldiers for Virginia. 1 *p.* [*Col. Papers, Vol. XLII., No.* 18.)

Jan 31. Barbadoes. **592.** Governor Sir J. Atkins to Lords of Trade and Plantations. Finds they are not satisfied with all his particulars and that he misunderstood the word Journal "which being given in general

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terms till I had your Lordship's explained pleasure therein 'tis possible I might." 'Tis the common fate of missions by letters that men are often mistaken in the meaning, which is his misfortune who not being able to receive their Lordship's meaning but by a second discovery nor give them his but by a second address, he sometimes lyes under a fatal misconstruction. If anything has fallen from his pen they approve not, hopes they will charitably interpret 'tis the language of a soldier not of an orator, and that it comes from intentions zealously inclined for the King's service and solidly disposed to give all respect and reverence to their Lordships. Has given them from time to time the best account of all occurrences but did not know they wished to have all acts of Council. There are here five Courts of Judicature besides the Chancery, which consist of a judge and four assistants in each Court, and trial by jury as in England. Explains why, when he sent the laws, he did not send the reasons for making them. Most of the laws are for ordering their slaves and distinguishing their property for therin consists their wealth, therefore have made them all chattels and real estate of no such practise in England, and therefore may be esteemed erroneous. Explains the necessity of doing so. The Act made expressly against Quakers seems severe, but is necessary, there is not a more deceitful people. Explains their designs with the slaves which might have brought in question the ruin of the place for they drew hundreds of negroes to their meetings who, when they had no mind to work, claimed the privilege of going. Ten days ago the French were at Martinique and Grenada. Expects his Majesty's frigate. *Endorsed*, "Rec. 11 April 1678." 3 *pp.* [*Col. Papers, Vol. XLII., No.* 19; *also Col. Entry Bk., Vol. VI., pp.* 224–228.]

Jan. 31. St. Christopher's. **593.** Minutes of the Council of St. Christopher's. Ordered that 1,000 (lbs.) weight of bullets and 10,000 flints which Captain Joseph Crispe has promised to deliver be put into the magazine at Sandy Point, and that order be drawn on John Vickers, treasurer, for 6,000 lbs. of muscovado sugar for payment of same. The gunner at Sandy Point to render account of the country store to Captain Joseph Crispe, Captain Christopher Jeaffreson, Thomas Soley, and William Colhoun who are ordered to examine Major Roger Elrington's account. [*Col. Papers, Vol. XXVIII., No.* 69, *pp.* 16–17.]

Jan. ? **594.** Case of Sir Arthur Ingram in reference to a debt due to him from George Needham. Sir Thomas Modyford, and Samuel Barnard at Jamaica, are authorised by Ingram to recover said debt. The interest allowed by law in Jamaica was 15 per cent. now reduced to 10 per cent. Principal 640*l.*, and interest for nine years 576*l.* Total, 1,216*l.* 1 *p.* [*Col. Papers, Vol. XLII., No.* 20A.]

Jan.–Feb. **595.** Deposition of Christopher Martin of Cockington, Devon, mariner, concerning the Newfoundland fishery. That the Masters and Companies of the fishing ships are faulty, and he believes have

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done co-equal spoil to stages and flakes and boats, as much as the inhabitants and were it not for the inhabitants, men could not be ready to fish by a considerable time so soon as they do, for they now take care to preserve the stages that the ice would in the winter otherwise throw down, and the sea carry away. Advantages of the inhabitants living there. 1678, Jan. 28.

Deposition of Thomas Martin. That in his judgment there is an absolute necessity for settling and encouraging the inhabitants by reason of the potency of the French there or any other enemy. 1678, Jan 29.

Deposition of Nehemiah Troute of Plymouth purser of H.M.S. Swan. That there is a necessity of the inhabitants being continued for the reasons at length stated. 1678, Feb. 1. *Endorsed :—* "Rec. 6 Feb. 1678." *Together* 3 *papers.* 7 *pp.* [*Col. Papers, Vol. XLII., Nos.* 20, 21, 22.]

Feb. 4. Whitehall. **596.** Journal of Lords of Trade and Plantations. Several laws enacted at Jamaica, 9th April 1677, and received from Secretary Coventry on 18th December last read. Here follow the titles. Whereupon ordered that these laws so approved be sent to Mr. Attorney General for his review and amendments according to the method prescribed in the perusal of the former laws transmitted to him. Having thus finished their consideration as well upon the Commission and Instructions of the Earl of Carlisle as upon the laws to be transmitted to Jamaica, agreed to report to his Majesty the most material points that have occurred to them. *Mem.*—This report was read on 15th instant and approved with order that Mr. Secretary Coventry prepare a Warrant for passing the laws under the Great Seal of England. [*Col. Entry Bks., Vol. XXIX., p.* 179, *and Vol. CV.*, 217–221.]

Feb. 8. Middle Plantation. **597.** Survey of His Majesty's Magazine at Virginia ; by virtue of an Order from Herbert Jeffreys, Governor, of 16th January last. *Signed by* Edward Rous, James Archer, junior, George Wachop, Thomas Needler, and William Morris. [*Col. Entry Bk. Vol. LXXX.*, 293–299.]

Feb. 9. James City, Virginia. **598.** The case of William Sherwood of James City in Virginia declaring the hard and severe usage he hath met with since his last arrival there as also concerning the concealing His Majesty's Royal letter dated 15th of May 1677. Also copy of the Act of Assembly by which County Courts are appointed, and copy of his answer to Colonel Hill's complaint, addressed to Herbert Jeffreys, Governor of Virginia. 2 *papers.* 6 *pp.* [*Col. Papers, Vol. XLII., Nos.* 23, 24.]

Feb. 11–25. St. Christopher's. **599.** Minutes of the Council of St. Christopher's. Two letters read by Governor Abed. Matthew from Colonel Stapleton, Governor of the Leeward Isles touching the rumour of a war between England and France. Ordered that the field pieces in the fort at Sandy Point be removed to Cleverley Hill fort, a large guard house

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erected there, and a guard forthwith settled there, and two barrels of powder with shot.

Feb. 25. Representation by the Governor of the great necessity of forwarding the fortifications. Boat to be sent to Tortola for timber with four white men and eight free negroes, William Colhoun's boat to be employed at the rate of 150 lbs. of sugar per day. Nine canon lying useless at Stones Fort and the Old Road to be brought to the New Fort at Cleverley Hill. [*Col. Papers, Vol. XXVIII., No.* 69, *pp.* 17-18.]

Feb. 15. Whitehall. **600.** Order of the King in Council. Approving Report of Lords of Trade and Plantations on the Commission and Instructions of the Earl of Carlisle [Governor of Jamaica] and directing Mr. Secretary Coventry to prepare them accordingly, also that the Laws of Jamaica pass under the Great Seal of England. [*Col. Papers, Vol. XLII., No.* 25, *and Col. Entry Bk., Vol. XXIX., pp.* 180–183.]

Feb. 15. Whitehall. **601.** Order of the King in Council. Approving thirty seven laws of Jamaica, the titles of which are given and directing that they be transmitted to Secretary Coventry and that he prepare a Warrant for the immediate passing said laws under the Great Seal of England, and that the Lords of Trade and Plantations consider the law sent from Jamaica for calling in and suppressing Privateers and if they can by any fitting amendments agree to same to send it with the rest to Secretary Coventry, but if it may be better settled by instruction to prepare same for Lord Carlisle to take with him. And their Lordships are also to consider the Statute of Henry the Eighth for trying pirates, and to frame a law making said Statute in force in Jamaica. [*Col. Entry Bk., Vol. XXIX.*) *pp.* 183–188.]

Feb. 15. **602.** Account of the establishment for Virginia (as compared with the establishment for Jamaica). Total 6,040*l.* 10*s.* per annum. The amount is thus made up; The Governor, 1,000*l.*; Deputy Governor, 600*l.*; Major General, 300*l.*; Surgeon, 91*l.* 5*s.*; incidental charges, 600*l.*; chaplain, 121*l.* 13*s.* 4*d.* Two Companies, 3,327*l.* 11*s.* 8*d.*, exceeding that of Jamaica by 212*l.* 18*s.* 4*d.* 1 *p.* [*Col. Papers, Vol. XLII., No.* 26.]

Feb. 16. Nevis. **603.** Governor Stapleton to [Wm. Blathwayt]. French men of war cruising to and from Martinique to St. Christopher's besides a considerable squadron Vice-Admiral Count d'Estrées has at Martinique. It is surmised he designs for Porto Rico or Curaçao. He has lately sent a frigate with a French company of land forces to St. Christopher's where they have no need of them their number far exceeding ours. Prays their Lordships to consider what strength the French have here. Wishes we may not be thought of too late as in the last war. A ketch is but of little credit to the nation especially when commanded by a mere brute unfit to live among

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men, daily quarrelling and as often baffled. Prays their Lordships and the Lord Treasurer to let him have the 4½ per cent. for one year in lieu of his arrears in Sir Tobias Bridge's regiment. "I suppose a word speaking to the Duke or the Committee might procure it." 2 *pp.* [*Col. Papers, Vol. XLII., No.* 27.]

Feb. 18. Nevis. **604.** Governor Stapleton to Lords of Trade and Plantations. Daily expectation of war with France obliges him to get all hands to the sea side to repair former and erect new fortifications. The Vice Admiral of France at Martinique with a considerable squadron; he has sent some to Petit Guavos for 900 Buccaneers. His "weak conception" of their designs; to remain at Martinique three months without attempting upon Dutch or Spaniards "is strange to my feeble apprehension." Have had but the Quaker Ketch here for the reputation of the nation as meanly manned as ever he saw a King's vessel. Have several ketches from New England which in a few days might be manned and fitted with as much credit to the Crown as the Quaker Ketch was often represented. The condition of the islands, instances nothing through timidity, has a strong dilemma to answer. If he goes not to St. Christopher's with a strong force it must needs be lost, and if he goes he weakens Nevis and the rest of the islands, and if success or miscarriage attend he endangers all; reasons. Remarks upon the 10th and 11th rules of the Printed Orders as to let passes. "Rec. 18 April 1678." 1½ *pp.* [*Col. Papers, Vol. XLII., No.* 28, *and Col. Entry Bk., Vol. XLVI., pp.* 267–269.]

Feb. 18. Nevis. **605.** Governor Stapleton to Sir Robert Southwell. Sends Barnes' answer if he be not as good as his word; will be pleased to know "that he may be obliged to effect it." All persons who arrive have nothing but report of a war with France. The French are powerful by sea and land and the Vice-Admiral is here with a considerable squadron; what his design is cannot be conjectured; he makes a great stay at Martinique, and does not proceed upon his former supposed design on Porto Rico and Curaçao. "Rec. 23 April." [*Col. Papers, Vol. XLII., No.* 29.]

Feb. 19. Whitehall. **606.** Journal of Lords of Trade and Plantations. Consideration of the law sent from Jamaica for calling in and suppressing privateers; also of the statute of Henry VIII. for trying pirates and to prepare a law for putting the same in force in Jamaica. Whereupon Mr. Attorney-General presents a draught for the more effectual punishment of pirates, which is not approved. Agreed to report to His Majesty their amendments to the law for calling in privateers. Petition of Charles Modyford, Surveyor-General of Jamaica, read. Whereupon, Sir Thos. Lynch and Mr. Attorney-General having explained the case, their Lordships agree to make report to His Majesty. *Mem.*—Their Lordships report was approved on 22nd inst., in relation to the above laws, but nothing was resolved on the case of Charles Modyford. [*Col. Entry Bk., Vol. CV., pp.* 221–222.

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Feb. 19. **607.** Report of Lords of Trade and Plantations to the King. That they have agreed upon an Act for the more effectual punishment of pirates in Jamaica and also an Act for calling in the privateers which serve under foreign commissions in those parts, and they have considered Charles Modyford's petition, and been attended by Sir Thomas Lynch who says nothing can more contribute to the encouragement of planting than that Petitioners' office should be supported, and their Lordships are of opinion that the regulation of fees relating to a surveyor in the Act of Jamaica may be left out of such Act, and Lord Carlisle be ordered to regulate the fees of the Surveyor-General according to his instructions in reference to other fees. *Draft*, 2 *pp.* [*Col. Papers, Vol. XLII., No.* 30, *and Col. Entry Bk., Vol. XXIX. pp.* 192–193.]

Feb. 19. **608.** Petition of Charles Modyford, Surveyor-General of Jamaica, to Lords of Trade and Plantations. That he was appointed by Letters Patent of 27th April 1675 Surveyor-General of Jamaica, and the Assembly have transmitted to His Majesty an Act regulating the Surveys. Prays that said Act and list of fees may not be passed to obstruct Petitioner acting under his patent, but that same may be encouraged by the Earl of Carlisle. "Rec. 19th Feb. 1678." *Annexed,*

608. I. The patent of Charles Modyford above referred to. Westminster, 1675, April 27.

608. II. Reasons for supporting and encouraging Charles Modyford's patent. [*Col. Papers, Vol. XLII., Nos.* 31, 31 II., *and Col. Entry Bk., Vol. XXIX., pp.* 188–191.]

Feb. 19. **609.** Journal of Assembly of Barbadoes. Having sat three several times by adjournment, according to the rules of the House, they proceeded to elect a Speaker, and William Sharp was chosen. Committee appointed to consider what amendments are convenient to be made in the Act of the militia of this island.

Feb. 20. An Act to repeal an Act to prohibit the bringing heading and timber (*sic*) from Surinam read first time, also an Act to encourage the bringing in of Christian servants, which was passed. Proposals having been made by Captain John Poines to make a good, safe, and sufficient haven for ships of the creek or swatch of salt water that runs by the town of St. Michael's, and it being thought of great conveniency and safety to ships, if it were well effected Colonel William Bate, Colonel Richard Guy, Major John Hallett, and Captain John Johnson are appointed a committee to hire so many boats as they find needful, and working negroes not exceeding one hundred to be employed by Captain Poines for three weeks, and to draw upon the Treasurer of the Excise for the charges. Captain John Johnson to have credit upon his account of excise for the half duty of eleven pipes of Madeira. Committee appointed to consider the presentment of the last grand jury and draw into a bill what they think necessary. Adjourned to 19th March. [*Col. Entry Bk., Vol. XIII., pp.* 294–297.]

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Feb. 22. Jamaica. **610.** The King's Warrant to Sir Thomas Chicheley, Knight, Master General of the Ordnance. To appoint some fitting person to take charge of all the munition and habiliments of war now sending or hereafter to be sent to Jamaica and render account of the expenditure, and to make him reasonable allowances out of the Treasury of that office. ¾ *p.* [*Dom. Entry Bk., Chas. II., Vol. XXIX., p.* 241.]

Feb. 22. Whitehall. **611.** Order of the King in Council. Approving Report of Lords of Trade and Plantations (*see ante, No.* 607), upon two Acts of Jamaica touching pirates and privateers and transmitting same to Secretary Coventry to prepare warrant for His Majesty's signature for the immediate passing of the rest of the laws of that island under the Great Seal of England. [*Col. Entry Bk., Vol. XXIX., pp.* 193, 194.]

Feb. 22. **612.** Petition of Henry West of the Isle of Wight county in Virginia, now in London, to the King. For a pass for leave to return home to his poor family in Virginia by a ship ready to sail within a very few days, else he will lose his passage this year; also that his bond not to return may be cancelled and his estate discharged from seizure without the payment of fees. *Endorsed*, "Read in Council Feb. 22, 1678." 1 *p.* [*Col. Papers, Vol. XLII., No.* 32.]

Feb. **613.** Report of Thomas Lord Culpeper to the King. On petition of Henry West of Virginia, Planter, referred to him as Governor of that Colony by an Order in Council. That, upon the best information he can obtain from Colonel Moryson and others, inasmuch as the Petitioner came voluntarily in to submit himself in the time of the late rebellion, he conceives him a fit object for His Majesty's compassion and pardon, and to have liberty to return home to his wife and children in Virginia. *Endorsed*, "Read 22d of Feby. 1678." 1 *p.* [*Col. Papers, Vol. XLII., No.* 33.]

Feb. 22. **614.** Minutes of the Council of Antigua. Address of the Judges and Council to the Assembly. Have this day perused a letter from His Excellency intimating a great suspicion of a war with the French, and commending to their consideration, to consult the preservation of the Leeward Isles, and in particular St. Christopher's, as most subject to innovation, and that some secure plot of ground be fortified for the preservation of women, children, and impotent persons. Answer of the Assembly,—Desire that the island may be furnished with ammunition and good arms, in readiness to attend His Excellency's commands, and that two of the Council be appointed to join with three of the Assembly to view a place for a fortification, and that negroes be appointed to attend them. Conceive that one negro in 20 may be sufficient for the work. That the Commanders with one of the Assembly should make a just list of every able working slave in their divisions, the public work to be satisfied out of the public stock. Ordered, by reason of a

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disrepute cast on the common stock of this island, that the Treasurer bring in their account of debt and credit against next meeting, that a course may be taken to prevent the like disrepute for the future. 1 *p.* [*Col. Papers, Vol. XXV., No. 55,* p.* 759.]

Feb. 25. **615.** Colonel Francis Moryson to Samuel Wiseman. Sends Colonel Jeffrey's letter about Beverley and Ludwell (*see ante, No.* 541). They will never be other than mutineers and will undoubtedly cause new disturbances in the country as soon as the soldiers are gone. Replies to Beverley's accusations against the Commissioner's proceedings; believes that those two by their advice to Sir William Berkeley occasioned the civil war "which had never been if that fatal petition of Gloucester had not been prosecuted." Shall think it hard to be forced to take a journey to charge so inconsiderable fellows. Hopes their Lordships will think the trust too great to be questioned by a pirate, and such a contemptible fellow as Ludwell. That they may stand committed until Governor Jeffreys comes home to bring his charge against them. 1 *p.* [*Col. Papers, Vol. XLI., No.* 138].

Feb. 27. Whitehall. **616.** Warrant to Heneage Lord Finch, Lord Chancellor. Approving thirty-nine laws of Jamaica, the titles of which are specified, and ordering that he immediately pass them under the Great Seal of England. *Countersigned by* Secretary Coventry. [*Col. Entry Bks., Vol. XCV., pp.* 240–42, *and Vol. CX., pp.* 122–124.]

Feb.–April. [Montserrat.] **617.** Three Acts, passed in the island of Montserrat, viz., An Act prohibiting the importation of Fayal wine and all liquors to be entered before landed, and an impost on the same (*expired*). An Act confirming levies formerly raised, treasurer's notes to be accepted, minister and clerk's salary and cattle trespassing (*expired*), passed 18 February 1678. An Act about contracting marriages, and the Governor, Secretary, and Marshal to be free from all taxes. Passed 2 April 1678. [*Col. Entry Bks., Vol. L., pp.* 229–236, *and printed in Vol. LV., pp.* 33, 34.]

March 1. Westminster. **618.** The King's Commission to Charles, Earl of Carlisle, appointing him Governor of Jamaica. [*Col. Entry Bks., Vol. XXIX., pp.* 198–214, *and Vol. XCV., pp.* 247–254.]

March 4. **619.** Colonel Moryson to Samuel Wiseman. Thinks Colonel Jeffreys must think him in love with business or would never write that he intended to send Moryson the charge against Ludwell and Beverley; the Commissioners are ignorant of what has passed in Virginia since their coming away, therefore, if the Governor charges them he must make the proofs. Because he was once employed in Virginia, sees no reason that any affairs of that place must still require his attendance. Desires him to put in a memorial that the Commissioners have done nothing more than what was enjoined both by their Commission and Instructions. If they had countenanced the unjust and rigorou courses against those His Majesty

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pardoned, three parts of the country would have been plundered after their coming in. Begs he will discourse with Sir Thomas Dolman and say it is Moryson's opinion that if all former actings be not buried in oblivion, new disturbances will arise, now the soldiers are drawn off. The party likely to be persecuted is six times the number of the other, and take away 30 or 40 gentlemen, and the rest deserve more punishment for deserting the King's Governor, than others that stayed at home and followed not the Governor to Accomack. 1 *p.* [*Col. Papers, Vol. XLI., No.* 138.]

March 5. St. Christopher's. **620.** Minutes of Council of St. Christopher's. That a larger supply of workmen be employed to finish the fortification on Cleverley Hill; all hands in two parishes at a time, any white person neglecting to be amerced 500 lbs. of sugar, and for every negro kept back 300 lbs. to be paid by the owner. Nine vessels to be pressed to bring the cannon at Stones Fort and the old road to the new fort at Cleverley Hill. Ordered that Major Roger Elrington and Captain James Phipps make search amongst all the merchants' warehouses for gunpowder and secure it in the magazine and payment made for what shall be used by the public at the country's charge. And that all carts on the plantations lying convenient be pressed to transport the ammunition and artillery from the old fort to the new fort. The Assembly being assembled the Governor and Council proposed the laying in a stock of provisions in Cleverley Hill Fort. The Assembly voted 40,000 lbs. of sugar for that purpose to be levied on all slaves from 14 years old and upwards, to be laid out by four discreet gentlemen. Forty pounds of sugar per poll to be levied on said slaves in consideration that the next levy be made only on the whites not to exceed 20 lbs. of sugar per poll. Ordered that an Act be forthwith made for said levy, and to be paid to William Colhoun at Sandy Point, Lieutenant-Colonel John Estridge, and Captain Joseph Crispe, of the Council, and Thomas Soley and William Colhoun, of the Assembly, to see to the disposal of the goods hereby raised. [*Col. Papers, Vol. XXVIII., No.* 69, *pp.* 18, 19.]

March 6. **621.** Secretary Coventry's Minutes about the new levies [for Virginia]. The King to allow 20*s.* a man for levy money, that is 100*l.* a company. *Two papers.* [*Col. Papers, Vol. XLII., Nos.* 34, 35.]

March 11. Port Royal. **622.** Minutes of Council of Jamaica. Present, Governor Lord Vaughan and Sir H. Morgan, Colonels Thomas Freeman and Thomas Fuller, Lieutenant-Colonels Thomas Ballard, Robert Byndlosse, and Samuel Long, John White, and John Ball. The Governor communicated that if he had not been so much indisposed in his health of late he would have had frequenter meetings. Account of moneys in the collector's hands issued out for the fortifications and other contingencies, the forts all perfectly repaired and well finished. No quit-rents received by the Governor since March 1676, nor has he received one farthing from any public revenue

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towards his support and charge of Government since April last, but now intending to embark for England very speedily, he has delivered to Sir Henry Morgan, Deputy Governor in his absence, attested copies of his Commission and Instructions and other papers necessary for the administration of Government. His private fortune was much impaired, but he should depend upon his Majesty's bounty. Captain Wilson and John Crompton sent for and ordered to bring in their books; balances in their hands, Captain Wilson's account of the impost money entered at large, according to order. [*Col. Entry Bk., Vol. XXXV., pp.* 641–645.]

March 15. (Received.) **623.** The past and present state of the Leeward Islands. When in 1666 His Majesty's declaration of war against the French came to the islands, Watts, then Governor of St. Christopher's, more generous than prudent, gave the French three days' notice for submission, but they fell on the English and forced them to submit, becoming masters of the whole island. Francis Lord Willoughby came from Barbadoes with a fleet, but perished in a hurricane near Guadaloupe with most of his men. Not long after Monsieur de la Barre attacked Antigua and forced them to capitulate, and then made themselves masters of all the said islands, disarming the inhabitants, carrying away their negroes and every thing of worth, destroying their sugar works and cattle, exposing them to the cruelty of the barbarous Indians who accompanied them in taking said islands. The Dutch, coming from the taking of Surinam, joined with the French, but Sir John Berry engaged them so smartly they were forced to retreat from Nevis and Antigua, and Montserrat soon after returned to their obedience to His Majesty. After the fight by Nevis the French never more appeared in those seas during that war. St. Christopher's, being much depopulated by the French, is at present far inferior to them in number, and in great danger, in case of a breach with France, of being taken again. Antigua and Montserrat are in a fine thriving way again, but weak as to their defence. Necessity of guarding Nevis the most considerable of all. Those who are masters at sea in those parts may upon occasion take all these islands. He that gives the first onset may easily master St. Christopher's if anything equal in strength. Experience of the late war hath shown that he that is first ready and strikes hath great advantage, as the French had then. Great trade of the Leeward Islands, they trade yearly some 200 ships with sugar, tobacco, and indigo, considerable to His Majesty's customs. The islands may moderately be estimated to be worth one million sterling, and the loss of them may endanger Barbadoes. If a war be designed a good squadron of ships with some forces should attack first and attempt the conquest of all the French islands. Marigalante and the Saints near Guadaloupe, both small islands, the first may have 250, the other some 80 men; Guadaloupe and Grancera about 1,500 men; St. Christopher's some 1,200 men; St. Bartholomew some 200 men; St. Martin the same; St. Croix cannot exceed 300 or 400 men. The strength upon the English islands, Antigua, the largest, about 1,300 or

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1,400 men; Montserrat some 1,200 men; St. Christopher's, 400, besides His Majesty's two companies of soldiers; Nevis some 1,600 or 1,700 men; St. Eustatius some 80 men; Anguilla 150 men. A present supply of four or five ships of war, with 500 or 600 soldiers, would be a great encouragement to the inhabitants until more ships and men can be sent. "Received from Mr. Freeman and presented to the Lords 15 March 1677(-8)." 6 *pp.* [*Col. Papers, Vol. XLII., No.* 36.]

March 19–28. **624.** Journal of Assembly of Barbadoes. Ordered that John Hallett, Treasurer, do cause to be put on board the first ship or ships so much of the first of the public sugars as may reasonably be computed to make in England 1,500*l.* sterling, and consign to whom his Excellency thinks fit for payment of 1,200 firelocks and 200 carbines, with cartouch boxes, belts, and swivels. An Act to repeal an Act to prohibit the bringing heading and timber from Surinam, read second time. An Act to continue the Act of the Militia, read first time. An Act to continue an Act to prevent the people called Quakers from bringing negroes to their meetings, passed. It having been noticed that Solomon Eccles and other new comers to this country frequently teach and preach at Quakers' meetings, contrary to an Act of this island, ordered that John Hallett, Treasurer, employ an attorney to prosecute, according to said Act, said Eccles and others upon account of the public. Every member of this House not appearing to-morrow morning to pay five shillings.

March 21. Orders for getting in arrears of taxes made since 20th March 1671 by the gentlemen of the Assembly in their respective parishes, and in default themselves to be charged with and liable to make satisfaction out of their own estates. Act to continue the Act of Militia, passed. Acts to be drawn for raising a sum of goods for carrying on the fortifications. Ordered that John Higinbotham, Clerk of the Assembly, be paid his salary of 10,000 lbs. of sugar for six months.

March 27. Acts against Quakers, for the Militia, and for the fortifications, passed. Ordered that John Hallett buy iron or other shovels not exceeding one thousand, to be had in shops or houses. Other Acts passed.

March 28. Ordered that the Commissioners appointed for repair of the Indian Bridge and other repairs have power to accept voluntary subscriptions for same. The House moves his Excellency that no ships in the road be permitted to leave the island till he has news from England, and for safety that they be drawn into Carlise Bay. Petition of the Representatives to Governor Atkins against the practice of molesting and disquieting His Majesty's subjects traders to this island, on pretence of the Acts of Trade and Navigation, who have been condemned in the Court of Admiralty, when by law informations upon penal statutes ought to be brought to the Courts of Common-Law. Ordered that the Commissioners for repairing and finishing the fortifications be empowered to make payment for

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same as herein directed. Adjourned to 16th April. [*Col. Entry Bk., Vol. XIII., pp.* 297–306.]

March 20. Whitehall. **625.** Journal of Lords of Trade and Plantations. That a letter was this day received from Colonel Moryson to Sir Thomas Dolman, enclosing abstract of letters from Colonel Jeffreys to Colonel Moryson. [*Col. Entry Bk., Vol. CV., p.* 223.]

[March 22.] Read. **626.** Petition of Thomas Martin, Receiver in Jamaica, to the King. That notwithstanding His Majesty's letter to Lord Vaughan (*see ante, No.* 416) Petitioner is still detained prisoner in the gaol of St. Jago de la Vega. Prays for such further orders for his release as shall seem meet. "To be released. Read March 22, 1678." *Annexed,*

626. I. Order of the King in Council. That the Earl of Carlisle, Governor of Jamaica, do on his arrival cause Petitioner Thomas Martin to be forthwith discharged from his confinement and restored to the full enjoyment of his office. 1678, March 27. [*Col. Papers, Vol. XLII., Nos.* 37, 37 I.]

March 22. **627.** Journal of Lords of Trade and Plantations. Notice taken of a paper presented by Mr. Mason and received on the 21st instant from Mr. Secretary Williamson about New England, but by reason of Mr. Secretary's absence nothing is resolved thereupon. [*Col. Entry Bk., Vol. CV., p.* 224.]

March 25. Whitehall. **628.** Lords of Trade and Plantations to the Earl of Carlisle, Governor of Jamaica. Recommend to him several heads of inquiry concerning Jamaica to which they expect his answer, and require him from time to time after his arrival to send clear and full accounts of the state of the island. *Mem.*—The inquiries were such as were sent to Lord Vaughan, those being left out upon which their Lordships were sufficiently satisfied. [*Col. Entry Bks., Vol. XXIX., pp.* 194–196, *and Vol. CV., p.* 227.]

March 25. **629.** Robert Mason to Lords of Trade and Plantations. Mr. Gorges has sold the Province and Government of Maine to the Boston agents notwithstanding his often offers to His Majesty and His Maiesty's seeming inclinations of buying the Province. Has lately had overtures made for his Province; has hitherto declined the thoughts of a treaty (although for many years oppressed by the Massachusetts Government) in confidence that the King himself will do him right by establishing his Royal authority in New England. *Underwritten,* "Read March 25 at Comtee. No further consideration had of the Province of Maine. This was rejected. Read again ye 28, and ordered that His Matie be again moved in Council on this matter." 1 *p.* [*Col. Papers, Vol. XLII., No.* 38.]

March —. **630.** Petition of William Hou[ghton and] Peter Bulke[ly] to the Lords of Trade and Plantations. Pray their Lordships to appoint

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some short day for reading their petition and hearing Petitioners. *Underwritten,* "Read at Comtee. 25 and 28 March 1678." 1 *p.* [*Col. Papers, Vol. XLII., No.* 39, *and Col. Entry Bk., Vol. LX., p.* 247.]

March. **631.** Petition of Edward Randolph to the Lords of Trade and Plantations. Has attended His Majesty and their Lordships upon the business of New England for 18 months. Prays their Lordships to signify whether his attendance may be further serviceable, wherein he hath many material things yet to offer, or if otherwise to report his faithful endeavours and great pains to His Majesty, having been forced to lay aside all thoughts of his private concerns that he might be the better at leisure to serve His Majesty. [*Col. Entry Bk., Vol. LX., p.* 248.]

March 25. **632.** Journal of Lords of Trade and Plantations. On reading petitions of William Stoughton and Peter Bulkeley, and of Edward Randolph, and hearing several of the allegations on both sides, the Committee order a copy of Heads of Inquiry concerning His Majesty's Plantations to be adapted to the colony of Massachusetts, and delivered to the agents for them to return an answer thereto; and as the agents declare that they are possessed of a copy of Mr. Randolph's narrative to the Committee, and are ready to discover several falsehoods therein, their Lordships direct the agents to prepare their answer in writing and to attend on the 28th instant. Mr. Randolph praying the Committee to signify whether his attendance be further necessary or to report his faithful service to His Majesty, their Lordships, seeming well satisfied with his past service, and taking notice that he has many material things yet to offer, direct that he take a view of the papers formerly given in by him, and of those delivered by the agents, and draw up a paper containing all such new matter as he shall think fit to present. The order and inquiries delivered to Mr. Bulkeley. Answer of the Judges of the Admiralty in the case of the Sherrard referred 26th January, read, dated 2nd February, to the effect that (1.) No prince in war can prohibit his allies to trade with his enemies except in goods accounted contraband, or such as are for the support of the war, or encouragement of the enemy, which may be confiscated, if there be no Treaty providing for their freedom. (2.) The prohibition must be proclaimed, and a convenient time allowed for it to arrive to the knowledge of those whom it is to affect, and it is agreeable to the law and practice of nations when a neuter trades with a nation at war with another in goods not expressly contraband, but such as may be judged by the other nation to be advantageous to the enemy, to send over agents to expostulate the case of such trade, and give them notice to desist from carrying such goods under pain of confiscation. (3.) Know of no such ordinance in France, and, if any such be, it cannot operate against His Majesty's subjects so as to justify their capture and confiscation, for, if they were really bought and paid for, she cannot by the Law of Nations be condemned, although she was taken

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before she touched in an English port. [*Col. Entry Bk., Vol. CV., pp*, 225, 226, *and pp.* 228, 229.]

March 26. London. **633.** Answer of Charles Lord Baltimore to the Inquiries concerning Maryland presented to Lords of Trade and Plantations on 26th March 1678. Original grant of King Charles I. to his father. The making of laws. Courts of judicature. The records are in the Province, "and necessarily remaining there," copies would make a long and tedious volume. Laws generally temporary, and continue only for three years. Where the exigencies of the Province do not force any particular laws to be made no other laws are used than those of England. Concerning the castles and forts and trained bands; three troops of horse, about 180 in all. Does not know of any privateers or pirates frequenting the coasts. Their neighbours either English or Indians. The English know their own strength of which he can give no account. The strength or number of their Indian neighbours is not considerable, as they live under several distinct governments, some having two hundred, some three, some five hundred subjects, generally a good correspondence with all. The more remote Indians more numerous, but their strength cannot be guessed. Their trade not considerable; they are generally an idle people who take no care for anything but food which they gain by hunting and fishing, and sometimes they sell to the English skins which is their only commodity. The boundaries, &c., well set forth in a map of Maryland lately made by Augustin Herman, an inhabitant, and printed and sold in London by His Majesty's license (*see a previous volume of this Calendar*, 1674, *No.* 1210). Impossible to give the number of acres patented and settled or unsettled. The principal town called St. Maries, where the Assembly and Provincial Court sit, and where all trading ships in the first place resort. Description of St. Maries, not above thirty houses, and those at considerable distances from each other. The Province very mean and little, and generally after the manner of the meanest farmhouses in England; no other places can be called towns. Reasons why hitherto they have been only able to divide the Province into counties without making any sub-division into parishes or precincts. The only considerable commodity is tobacco; the customs amount as near as he can guess to more than 40,000*l.* per annum, more than double the amount the planters receive for their commodity. The commodities imported are all manner of cloths and other necessaries for wearing, also iron tools, given in exchange for tobacco. The imports arise to near the value of the exports. Does not know of any saltpetre produced or produceable. Whereas in many other parts of America they refuse (out of covetousness) to permit negroes and mulattos to be baptized out of an opinion that baptism is a manumission, and the same thing as if their servants were dead, and this opinion beginning to take place in Maryland, a law was made to encourage the baptizing of them, by which it is declared that as in former times the baptizing of villains in England was not taken by the law of England to be a manumission in enfranchising the villains, so neither shall it be in

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this Province as to negroes or mulattos; and there have been found good effects from this law, all masters since having been willing to instruct those kind of servants in the faith of Christ, and to bring them to desire and receive baptism. Reasons against the making such scrutinies as their Lordships require which would certainly either endanger insurrections or a general dispeopling of the Province which is at present in great peace and quiet, all persons being secured to their content of a quiet enjoyment of everything that they can reasonably desire. Reasons why such scrutinies would be dangerous. His father had absolute liberty to carry over any from His Majesty's dominions willing to go, but he found very few, but such as for some reason or other could not live in other places, and could not conform to the laws of England relating to religion; these declared their willingness to plant in this Province if they might have a general toleration settled by a law by which all of all sorts who professed Christianity in general might be at liberty to worship God in the manner most agreeable to their conscience without being subject to any penalties. These were the conditions proposed, and without the complying with them in all probability this province had never been planted. All the planters in general affect the style of merchants, because they all sell tobacco, and their chief estates is the number of their servants, who serve generally five or six years, and then become planters and call themselves merchants. They are generally poor, their commodity only tobacco, not selling for more than 1*s.* per lb. Can give no probable guess of the number of masters or servants, nor of the number imported for any time, but are generally English and Irish. No certain answer can be given as to the number of vessels trading, not any of the build of this Province, the only certain course to know their number is by inquiry at the several ports of England. The greatest obstruction to trade is the late Act of Parliament for navigation. Does not conceive that their Lordships intend to make inquiry into or expect from Lord Baltimore a particular of his own rents, and what is his property and revenue. All public rates are laid by the General Assemblies who consider what is fit to be raised and how to raise it, but being always various and uncertain, it is impossible for him to give any certain account of them or of their various applications. *Signed.* [*Col. Papers, Vol. XLII., No.* 40, *and Col. Entry Bks., Vol. LII., pp.* 35–45, *and Vol. CV., p.* 224.]

March 26. St. John's. **634.** Minutes of the Council of Antigua. Present, the whole Council and 18 of the Representatives. Ordered, that four of the Assembly and two of the Council forthwith audit the country accounts; that the gentlemen of the Assembly in their respective divisions be appointed to receive the public stock for the future, and to have for their pains what the former Treasurer had; that a speedy reparation of the forts of Falmouth and St. John's be made, and all the great guns in the island mounted; that no order be issued for payment of any public debts till the ammunition be satisfied for, except what is due to the forts; that in compliance with his Excellency's request a shallop be provided to give in-

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telligence; that storehouses be set up as formerly in each division, good security taken for each storekeeper, and the most eminent men in each division appointed surveyors of the same. That warrants be issued to the constables to bring in lists as usual in order to levying the common stock, and that thereupon orders be sent to the Assembly men in each division to collect the same. That, as the levy and arrears will fall short of defraying their debts, besides the great charge of making provision for the supposed approaching war, one lb. of sugar or tobacco per acre on all lands laid out be added to the above levies, and that the same continue no longer than this year. 1 *p.* [*Col. Papers, Vol. XXV., No.* 55*, *p.* 760.]

March 27. **635.** Order of the King in Council. Approving reports of Lords of Trade and Plantations on an Act of Jamaica for confirmation of pious charitable and public gifts and grants and directing Secretary Coventry to prepare a Warrant for the immediate passing of said law under the Great Seal of England. *Annexed,*

635. 1. The above Act. *Endorsed,* "Read in Council and approved 27 March 1678." 2 *pp.* [*Col. Papers, Vol. XLII., No.* 40 1., *and Col. Entry Bk., Vol. XXIX., pp.* 196, 197.]

March ? **636.** Petition of Ferdinando Gorges, Agent for Colonel William Stapleton, Governor of the Leeward Islands, to the King. That His Majesty has allowed Colonel Stapleton 700*l.* per annum as Governor, and also to establish two companies of foot in St. Christophers with 2,778*l.* 10*s.* 8*d.* pay per annum none of which has been paid since June 1671, whereby the soldiers are reduced to great necessity. The French have seldom less than six ships of war, and have lately sent ten companies of old soldiers well clothed and paid. Fears His Majesty's service and interest in those parts will be injured if not timely prevented. Prays His Majesty to do therein as shall seem most agreeable to His Majesty's service. 1 *p.* [*Col. Papers, Vol. XLII., No.* 41.]

March 28. (Received.) **637.** Representation of William Freeman to Lords of Trade and Plantations. Has received instructions from Colonel William Stapleton, Governor of the Leeward Islands, to represent the great fears and dangers the inhabitants of those islands are apprehensive of, by reason of the great force and naval strength of the French in those parts. That it be represented to His Majesty they are altogether unprovided against such great forces, and to beseech His Majesty to send timely assistance of land and sea forces as may fully protect them. The ruin to the inhabitants, trade, and His Majesty's customs in case the French should make themselves masters of said islands. "Rec. 28 March 1678." 1½ *pp. Annexed,*

637. 1. An estimate of the stores needful to be sent to the Leeward Isles. "Rec. from Mr. Freeman 15 April 1678." 1 *p.* [*Col. Papers, Vol. XLII., Nos.* 42, 42 1.]

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March 28. **638.** Memorial of the Ambassador of the States General of the United Provinces to the King. That seventy negro slaves belonging to the Admiralty of Amsterdam as masters of Tobago, hid in a wood after the French had abandoned said island, were removed and delivered to Governor Stapleton, and because the English can have no right to said slaves by reason the French made, but a temporary invasion without settling themselves or ever seizing said slaves; prays that Governor Stapleton may be ordered to restore them or the money they have been sold for. *French. Annexed.*

638. I. Order of the King in Council. Referring above petition to Lords of Trade and Plantations for their report what they conceive fit for His Majesty to do. Whitehall, 1678, April 5. *Two papers.* [*Col. Papers, Vol. XLII., Nos.* 43, 43 I.; *and Col. Entry Bk., Vol. XLVI., pp.* 271, 272.]

March 28. **639.** Sir Robert Southwell to the Attorney and Solicitor General. In accordance with their Lordships' direction of 27 July 1677, they are to examine the Massachusetts Charter as to whether the authority of the Crown be sufficiently preserved, as it may be more advisable to try them according to the Rule of the Charter than wholly to overthrow it by what Mr. Mason alleges sufficient to that effect; that it be observed how far their power of legislation and taxation extends, especially on trade, which if abused might affect the course of trade in other of the King's dominions. Copy of Charter enclosed to be returned with their opinion. 2 *pp.* [*Col. Papers, Vol. XLII., No.* 44.]

March 28. **640.** Journal of Lords of Trade and Plantations. The Boston agents having declared that they were possessed of the Narrative of the State of New England presented by Randolph to the Committee in pursuance of his instructions of 20 March 1676, and the clerks disowning knowledge of it, the agents were interrogated and declared that they had it from a private hand, and being pressed to know the hand said they had received it 6 months since from Mr. Mason, who, being asked by what authority he had given a copy and how he himself came by it, answered that he thought himself a party concerned in the matter and had assisted Randolph in drawing it up and gave a copy to the agents because he had heard from Wade, a servant of the Lord Privy Seal, that another of the servants had made a copy for them; therefore, he was willing to give it them without fault or mistake, but they affirmed that they had not had it before, but acknowledged to have sent a copy to New England. Upon which their Lordships think fit to report the state of the case to the King, to know whether it is his pleasure that an attested copy should be given to the agents for them to answer the particulars thereof. Mr. Stoughton, one of the Agents of New England being interrogated if they had not desired Mr. Blathwayt to give a copy of Lord Carlisle's Commission and Instructions, said he had not desired to see the Instructions but only the form of a Commission out of curiosity. Upon reading again Randolph's petition their Lordships agree to report to His

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Majesty in favour of him as a fit person to be Collector of Customs in New England, or deserving some other reward for his services. [*Col. Papers, Vol. XLII., No.* 45 ; *also Col. Entry Bk., Vol., CIV., pp.* 231, 232.]

March 30. Whitehall. **641.** The King's Instructions to Charles, Earl of Carlisle, Governor of Jamaica. On his arrival to call a meeting of the Council, by name Sir Henry Morgan, Sir Francis Watson, Thomas Modyford Thomas Freeman, John Cope, Robert Byndlosse, Charles Whitfield, Thomas Ballard, Thomas Fuller, William Fry, Hender Molesworth, John White, and Samuel Long, and with due solemnity to cause his Commission (*see ante, No.* 618), to be published at the said meeting. Not to express any limitation of time in his commissions to Judges and Justices of the Peace. In case of vacancies in the Council to transmit the names and qualities of the new members he appoints. Freedom in matters of religion and the oaths of allegiance, and supremacy to be dispensed with under certain conditions "but we oblige you in your own house and family to the profession of the Protestant religion." For the future no general assembly to be called without His Majesty's directions. Drafts of Acts he thinks necessary to be passed to be transmitted to His Majesty. Has ordered to be delivered to him a certain body of laws for the use of Jamaica, framed in pursuance of other laws transmitted by former Governors with such alterations and amendments as we have thought fit, which he shall offer to the next Assembly that they may be enacted as laws originally coming from us. Nevertheless, in case of rebellion, invasion or some urgent necessity, he may pass Acts to raise money. The present style of enacting laws by the Governor, Council, and Representatives of the Commons assembled to be converted to, Be it enacted by the King's most Excellent Majesty by and with the consent of the General Assembly. To demand an account from Lord Vaughan how the arms, ammunition, and stores have been employed. In case of distress to assist any of the Plantations on application of their several Governors. As to trade and duties upon imports and exports, and supply of negroes at merchantable rates. To send account of number of planters and inhabitants. To appoint markets and fairs, and cause surveys to be taken of the considerable landing places and harbours. To inform himself what hath been done concerning the setting apart of 400,000 acres for our Royal demesne suspended by His Majesty's instructions to Sir Thomas Modyford and Sir Thomas Lynch. To encourage the improving of cocoa walks and the plantations of sugar and indigo. Servants to serve their masters four years who, for every servant, is to have thirty acres of land, and said servants at the end of their term to have thirty acres. Offices held by the King's letters patent to be freely enjoyed and held without molestation. He is to take a salary of 2,000*l.* sterling per annum, and the third part of fines, forfeitures, and escheats. The Lieutenant-Governor a salary of 600*l.* per annum, the Major-General 300*l.*, and the Chief Justice 120*l.* per annum. No minister to be preferred to any Ecclesiastical benefice without a

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certificate from the Bishop of London that he is conformable to the doctrine and discipline of the Church of England. No Councillor suspended to be received into the General Assembly. [*Col. Entry Bks., Vol. XXIX., pp.* 216–241; *and Vol, XCV., pp.* 255–267.]

March 30. Nevis. **642.** Governor Stapleton to Lords of Trade and Plantations. The report of war with France is so fresh that he has no time to comply with their Lordships' commands. Is night and day at the sea side with all the white men in arms, and some negroes with lances, and all the rest completing our trenches. Expects the French Admiral to pass by or attack them; it is likelier he will go to St. Christopher's, where he has 1,200 buccaneers from Hispaniola. Cannot but sufficiently "admire" if there be likelihood of a breach; there are neither English nor Dutch squadrons to watch his designs, he has now 20 men of war besides 13 buccaneer vessels. Wishes it may not be said instead of *sero sapiunt Phryges, sero sapiunt Angli.* Although the lesser number and destitute of men of war, hopes they may preserve the King's right. Reasons for his not going to St. Christopher's. They may imagine under what burthen he groans for want of a squadron to relieve these islands which may be taken before he knows it. The Governments of Barbadoes and Jamaica have not near the trouble, their forces being united. "Rec. 31 May." [*Col. Papers, Vol. XLII., No.* 46, *and Col. Entry Bks., Vol. XLVI., pp.* 300–302 *and Vol. CV. p.* 258.]

March. Navy Office. **643.** Estimates of the charge of transporting to Jamaica two hundred soldiers with two hundred and forty tons of stores, ammunition and other goods, with the Earl of Carlisle going over as Governor. *Signed by* Finch, C., Monmouth, Anglesey, S. Pepys, and others. *Three papers.* [*Col. Papers, Vol. XLII., Nos.* 47, 48, 49.]

March. Virginia. **644.** Information of Thomas Grendon, of Charles City county, on behalf of the King, to Governor Herbert Jeffreys. Against Edward Hill and John Stith for their wicked designs against the people of Charles City county, maligning the King's Commissioners and publicly declaring they have done what they could not answer. 3 *pp.* [*Col. Papers, Vol. XLII., No.* 50.]

March–Sept. St. Christopher's. **645.** Four Acts passed in the island of St. Christopher's, viz.:— An Act for the raising of 40 lbs. of sugar per poll by all the working slaves in His Majesty's part of this island, 8th March 1678. An Act prohibiting the transportation of anything tending to the making of sugar, indigo, or tobacco out of the English part of this island, or cattle, or horses, 30th September 1678. An Act touching tavern keepers and rum punch house keepers not to trust any person upon account for above 200 lbs. of sugar before take a note (*sic*) for the same, 30th September 1678. An Act concerning debts made by account in this island that a lawful demand be made of the same within four years next after, 30th September 1678. [*Col. Entry Bk., Vol. L., pp.* 19–21.]

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April 3. Port Royal.

646. Minutes of Council of Jamaica. Present—Sir Henry Morgan, and in addition to the Councillors named, *ante No.* 622, March, these four, viz.:—Colonels Thomas Modyford, John Coape, and Charles Whitfield, and Captain Hender Molesworth. This day Sir Henry Morgan took the oath of Commander-in-Chief, and the councillors also took their oaths to be true to him. No persons to have a ticket to leave the island except such as are necessary for sailing vessels. Upon apprehensions of a foreign enemy ordered that a council of war be called to consider the best means for securing this island, and that notice be given to the several field officers. [*Col. Entry Bk., Vol. XXXV., pp.* 646–647.]

April 4. Whitehall.

647. The King to Charles, Earl of Carlisle, Governor of Jamaica, Having lately received from John, Lord Vaughan, then Governor, certain Bills concerning matters necessary for the good government of that island and having caused other Bills to be prepared likewise for the good government of Jamaica, we do by these present declare our approbation of same. Then follow the titles of forty bills which "We have caused to be affiled to these presents and our Great Seal of England to be affixed thereunto." He is directed to cause said bills "to be considered and treated upon in our General Assembly." And that to said Bills or such of them as shall be consented and agreed to, he declare the King's assent by virtue of these presents, his warrant in that behalf. [*Col. Entry Bk., Vol. XLII., pp.* 1–310.]

April 4. Whitehall.

648. Warrant declaring the King's approval of forty Acts for the good government of Jamaica received from Governor Lord Vaughan and prepared by His Majesty with the advice of His Privy Council under the Great Seal of England. Lord Carlisle is directed to cause said Bills to be considered by the General Assembly and to those consented to, to declare our Royal assent by virtue of these presents. *Mem.—This warrant passed under the Great Seal, 13th April* 1678. [*Col. Entry Bk., Vol, XCV., pp.* 283–285.]

April 5. Port Royal.

649. Minutes of a Council of War. Present, Lieutenant-General Sir Henry Morgan and seventeen other officers. The articles of war set forth by Governor Vaughan confirmed and ordered to be proclaimed, and that the common laws cease for twenty days. The oath to be administered at general trials or regimental courts martial. Ordered, that the colonels forthwith call regimental courts martial and publish the articles of war, exercise the companies, examine that they be well provided with arms and ammunition, and make a return to the Commander-in-chief. Ordered, that the captain of the fort make a return to the Governor of arms and ammunition in the possession of merchants on Port Royal. And that no water canoe land at Port Royal after ten at night till sunrise. The orders to be observed in case of a general alarm. Ordered, that the tenth negro of all negroes in the island be employed on the fortifications, all of which are specified in the several parishes. Orders for the patrol of Colonel Ballard

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and Captain Rymes' troop every night and for companies of men to wait every night at St. Jago de la Vega, at the Salt Pond, and at Port Royal. [*Col. Entry Bk., Vol. XXXV., pp.* 647–652.]

April 5. Port Royal. **650.** Minutes of Council of Jamaica. Ordered that an Assembly be convened on 10th June at St. Jago de la Vega; that proclamation be issued that the Courts of Common Pleas do sit and adjourn to the usual times; and that the public monies in Captain Beckford's hands be paid to Thomas Martin, the King's Receiver, and his receipt be Beckford's discharge. [*Col. Entry Bk., Vol. XXXV., p.* 652.]

April 8. **651.** [Sir Robert Southwell] to Sir Edmund Andros. The Lords of Trade and Plantations being desirous to receive information concerning the present state of New England with which the neighbourhood of his Government of New York and frequent conversation cannot but have rendered him well acquainted, propound several heads of inquiry to guide him. The inquiries follow, seventeen in number. 4 *pp.* [*Col. Papers, Vol. XLII., No.* 51, *and Col. Entry Bk., Vol. LX., pp.* 248–255.]

April. **652.** Answers of Sir Edmund Andros to the above inquiries concerning New England. As to boundaries, laws, population, standing forces, fortifications, correspondence with the French and Indians, cause of the Indian war, relations between New York and the other colonies, capacity for resistance, commodities, trade, customs, relations of the colonies to one another, disposition of the people towards the King, differences of religion, trade between each colony and New York. *Endorsed,* "Rec^{d} 16 April 1678," Read in part, 16 May 1678. 3 *pp. Printed in New York documents III., pp.* 262–264. [*Col. Papers, Vol. XLII., No.* 52, *and Col. Entry Bk., Vol. LX., pp.* 259–255.]

April 8. **653.** Journal of Lords of Trade and Plantations. Their Lordships taking notice of the several parts of the business of New England, Mr. Secretary Williamson acquaints them that His Royal Highness, intending suddenly to dispatch Sir Edmund Andros to his Government of New York, had commanded him to attend their Lordships before his departure and give them the best informations he could on the state of New York and New England. Sir E. Andros is called in and informs the Committee of the state of New York, the boundaries, and how they were disputed and a great part of the country possessed by Connecticut, whereby great animosities had arisen much to the prejudice of His Majesty's affairs. He also takes notice of the violent proceedings of the Boston magistrates in the Indian War, their neglect of the matters he moved them in for a more timely suppressing of the Indians, and receiving the assistance he was ready to give them by sending a considerable force, and by drawing the Mohawks to join against the enemies of the Colonies, in acknowledgement whereof they had published in printed books, and in their Manifesto of War, that

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the Indians had been recruited with ammunition from Albany and thereby had registered such a penalty on the inhabitants of his Government, that he has reason to fear that many may suffer on pretence of this crime, if they come within the reach of the Massachusetts; whereas he made severe injunctions against furnishing the Indians with ammunition, that he is confident they had no sort of supplies from his Government; he further sets forth how useful he had been to them in the final subduing their Indian enemies and settling of peace. Whereupon the Committee propose to move His Royal Highness that Sir E. Andros may give in some information touching New York on the General Heads of Inquiry, which are usually sent to the Plantations. As to New England, particular Queries are ordered to be prepared. Their Lordships having read the heads of business depending, propose to go on with the first, *i.e.*, to give their opinion on Mr. Randolph's objections, and the agent's answer. On the first head, their Lordships were positive that the Oath of Allegiance ought to be given in New England without any mixture of fidelity to that Government, and their Charter ties them also to the Oath of Supremacy. Mr. Randolph called in for his additional objections, but began with another matter, how one Mr. May could witness that the agents had discoursed the matter of his narrative long before the time they pretended to have had it from Mr. Mason; Mr. May called in and swore to the same; the agents denied positively that they had seen any copy till that which they had from Mr. Mason; Mr. Mason said that Mr. Wade, a servant of my Lord Privy Seal's, commended to him exceedingly Mr. Randolph's narrative which he had seen, and Mr. Anslow, one of my Lord's servants, had copied it out, and the agents coming sometimes to my Lord's house he concluded that they had seen the narrative, because they could so well discourse the matter of it, and therefore he lent them a copy; Mr. Wade denied that he said any such thing. The agents alleged that they might discourse of several things, because Mr. Mason had spoken freely to them, and they had often attended the Committee and heard objections. Mr. Randolph enumerated several of their discourses to convince them that they had an earlier knowledge of his narrative than in July or August last, when they own to have had it only from Mr. Mason, and assured their Lordships of great detriment likely to follow in New England upon several loyal persons by reason of the character he had given them and his discourses with them, and prayed that His Majesty be moved to forbid any detriment to those persons. The Agents press to have a former petition of theirs read, referred to the Committee by order of 23rd January, for a grant of the Government tract of land that by the Judges' report belonged to Mr. Mason; which was read. Mr. Randolph opens unto their Lordships, pursuant to an order of 25th March, his new charge against the Massachusetts, for the extension of their bounds, the neglect of His Majesty's commands, the discouraging of the Church of England, leaving great numbers unbaptised, and deprived of the Communion, limitation of the Government to Church members, and making all who refused to

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attend the public worship of God there established uncapable of voting in public assemblies, preference of their own laws to those of England, their obstinancy and refusal to come to any sort of amendment, they having only ordered the execution of the Acts of Parliament restraining their liberty of trade, and persuaded themselves of the necessity of craving pardon, with resolution not to alter any essential part of their Government, a law re-enacting the oath of fidelity having lately been passed; they had pretended ignorance of the Acts of Parliament and taxed His Majesty and ministers for not acquainting them therewith, although it appeared by an Act of their own in 1663 that they had received His Majesty's order; they had made no order for the Oath of Allegiance, so much pressed upon them, nor had they suspended the coining of money. The agents endeavoured to excuse what was alleged, and assured their Lordships that the allegation in the preamble of the New Law concerning Trade was an act of precipitation made just as the General Court was rising, and a few hours after the receipt of their letters, and as to the errors of their Government they had not received His Majesty's final commands. All parties being withdrawn, the Committee entered into a debate of the matter before them, and ordered the Minutes of 27th July and 2nd August to be read (*vide* under dates). Their Lordships observe that though the orders therein contained had been received eight months ago, and the Boston Government informed of them, no amendment followed, except a law concerning the Acts of Trade and Navigation, in which there was a preamble flatly declaring that they were never before advertised of His Majesty's pleasure therein, whereas it appeared by the Council Books that a circular letter was sent in 1662 enforcing the same, and by an Act of theirs in 1663 the receiving of orders is acknowledged, and instead of enjoining the Oath of Allegiance the Oath of Fidelity to the country had been enforced. Mr. Secretary Williamson produced a paper of Minutes which he had himself taken, and confirming the Minutes in the Journal of the Committee, and particularly expressing that the agents had charged themselves with the care of communicating all to their principals. On the whole matter their Lordships very much resented that no more notice was taken of those points which were so fairly and with so much softness intimated to the agents, from whose modest deportment in general it was hoped there was a much more inclinable temper towards obedience in New England; and were so far from advising His Majesty to grant them a pardon, much less the accession of Government petitioned for, that they are of opinion the whole matter ought seriously to be considered from the whole root, for if fair persuasions will not take place, neither will they take notice of commands, if nobody be there on the place to give countenance to His Majesty's orders, which none of the Lords inclined to think that nothing but the establishment of a government there will accomplish, yet all agreeing that it must be a Governor wholly to be supported by His Majesty, and such a government was what even great numbers of the people there did

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languish after. Mr. Attorney and Mr. Solicitor are directed to examine the grounds of what has been some time objected:—That the Massachusetts has no legal Charter at all, that in 1635 a Quo Warranto was brought against it, whether, if the Charter were originally good, the Corporation have by mal-administration forfeited the same. Mr. Randolph is appointed to attend with information. Memorandum.—On the 17th Mr. Secretary Williamson delivered to Sir Robert Southwell in Council a petition presented by Mr. Randolph in behalf of His Majesty's subjects under the Bostoner's Government, with directions that a copy be sent to the Agents and their attendance required on the 19th to give answer. *The first part of this is printed in New York Documents III., pp.* 257, 258. [*Col. Entry Bk., Vol. CV., pp.* 233–245.]

April 9. **654.** Petition of Sir Edmund Andros to the King and Privy Council. Notwithstanding his great services during the Indian war and his subjection of the Eastern Indians, and prohibition of the sale of powder and ammunition, the Massachusetts have in the Declaration of War, printed in the beginning of winter 1675, and in books of war, printed since, aspersed His Majesty's subjects at Albany with having recruited Philip and other Indians particularly with ammunition, and forborne to allege the least colour or give satisfaction for the imputation. On behalf of His Majesty's subjects at Albany and for securing them from the penalties which may be inflicted on them if found within the Masachusetts jurisdiction, prays that inquiry be made into the truth of the matter while the agents are yet attending His Majesty. *Endorsed,* "Read in Council 9 April 1678." 1 *p. Printed in New York Documents, Vol. III., pp.* 258, 259. [*Col. Papers, Vol. XLII., No.* 53.]

April 9. **655.** Copy of the preceding Petition. Also Order of the King in Council that copy of said petition be given to the Massachusetts agents, who are required forthwith to return their answer to this complaint, that thereupon His Majesty may declare his further pleasure. *Printed in New York Documents, Vol. III., p.* 259. [*Col. Entry Bk., Vol. LXVIII., pp.* 34–37.]

April 12. Whitehall. **656.** Order of the King in Council. That copies of all charters and commissions as shall be found of use to the Lords of Trade and Plantations be delivered to their Lordships without fees or charges except the labour of the clerks employed in the searches and transcribing said copies according to custom. [*Col. Entry Bk., Vol. XCVII., pp.* 54, 55.]

April 16. Whitehall. **657.** The King to Lieutenant-Colonel Stapleton. There being some cause to believe that a breach may happen between us and the most Christian King which may occasion the invading of our islands in the West Indies, We have thought fit to give you

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warning to put the places under your command into the best posture you can. Adds these particular instructions. First, to consider whether by the strength at St. Christopher's, with assistance from Sir Jonathan Atkins from Barbadoes, he can get any considerable advantage upon the French, in such case as soon as war shall be known he shall attack them in the most vigorous manner he can; secondly, if that cannot reasonably be undertaken, yet if His Majesty's subjects there are in a condition to defend themselves, to give them all assistance in so doing; lastly, if he apprehends they are unable either to offend the enemy or defend themselves, then to take order for their timely withdrawing their persons and goods off the island to a place of better security. The management of these things is left to his prudent conduct. [*Col. Entry Bk., Vol. XCV., pp.* 243, 244.]

April 16. Whitehall. **658.** The King to Sir Jonathan Atkins. It cannot be unknown to him that there may possibly be a breach with France, in which case hostility may arise with the French on St. Christopher's. Has written to Colonel Stapleton to borrow such assistance from Governor Atkins as may be needful, and hereby requires and authorizes him to furnish such proportion of men, ammunition, and other necessaries as Lieutenant-Colonel Stapleton shall desire, so far as the safety of Barbadoes will permit. [*Col. Entry Bk., Vol. XCV., p.* 245.]

[April 16.] **659.** "Heads of Inquiry to the Proprietors of the English Plantations delivered to Sir John Werden, Secretary to his Royal Highness for Sir Edmund Andross knt. Gov. of New York;" also "The Answers to Inquiries made by Sir Edmond Andross, Governor there," under twenty-seven heads. [*Col. Entry Bk., Vol. LXVIII., pp.* 18-33.]

[April 16.] **660.** Copy of the preceding Answers to Inquiries concerning New York. The Governor and Council not to exceed ten. Law and Admiralty Courts. The law-book in force was made by the Governor and Assembly at Hempsted in 1665 and since confirmed by His Royal Highness; militia about 2,000, of which 140 horse, foot formed into companies most under 100 men each, indifferently armed, good firemen; one standing company of soldiers for the forts, James Fort and Albany and Pemaquid, victualled for a year. No privateers about the coasts. Boundaries, neighbours, with whom they keep good correspondence, but differ with Connecticut for bounds and mutual assistance, which they nor Massachusetts will not admit. Most of the land taken up except on Long Island, New York, Southampton, and Albany, principal places for trade; buildings most of wood, some lately stone and brick. Twenty-four towns, villages, or parishes. Rivers. Produce, mostly provisions and timber. No experience of saltpetre in large quantities. Merchants not many, but with inhabitants and planters about 2,000 able to bear arms, old inhabitants of the place or of England, except in and near New York of Dutch extraction and some of all

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nations, but few servants, much wanted, and but very few slaves. No persons to come from any place but according to Act of Parliament; the plantation is these late years increased but not known how much; some few slaves brought from Barbadoes, most for provisions, sold at 30*l.* or 35*l.* country pay. Ministers so scarce and religions many that no account can be given of births or christenings, marriages, or burials. A man worth 1,000*l.* or 500*l.* accounted a good substantial merchant, and a planter worth half that in moveables accounted rich; all the estates valued at about 150,000*l.* Ten or fifteen ships a year, of about 100 tons each, may trade to the Colony, English, New England, and their own, of which there are five small ships and a ketch. Obstruction to trade the distinction of colonies. Duties on exports, 2*s.* per hogshead of tobacco, 1*s.* 3*d.* a beaver skin, and peltry proportionably; provisions and all else pay nothing; imports 2 per cent., liquors particularly rated and Indian trade 3 per cent.; some few quit rents and excise for retailing strong drinks applied to the garrisons and public charge, to which it has not hitherto sufficed. Religions of all sorts; Presbyterians and Independents most numerous and substantial. The Duke maintains a chaplain, which is all the certain allowance or Church of England but people's free gifts; all places obliged to build churches and provide for a minister, in which most very wanting, but Presbyterians and Independents desirous to have and maintain them if to be had. About 20 churches or meeting-places, above half vacant; their allowance like to be from 40*l.* to 70*l.* a year, with house and garden. No beggars, but all poor cared for. If good ministers could be had, might do well and gain much upon those people. *Endorsed*, "Recd. from Sir E. Andros 16 April." 3 *pp. Printed in New York Documents, Vol. III., pp.* 260–262. [*Col Papers, Vol. XLII., No.* 54.]

April 16. **661.** Journal of Assembly of Barbadoes. William Sharpe re-elected Speaker. Ordered that John Hallett, Treasurer, buy of Richard Seawell his great guns and shot and also great shot of other persons for the use of the country, and make payment out of the excise on liquors; also to seize and pay for shovels, coals, and other necessaries for the fortifications, in whose custody soever that have them for sale, likewise pike staves at 18*d.* each. Order on petition of Arthur Middleton for remittance of duty on Madeira. Act to prevent Quakers bringing negroes to their meetings passed, also an Act for repairing and finishing fortifications. On consideration of the approaching war with France the House "tender themselves and all the interest they have to your Excellency and Council in order to the security and defence of this His Majesty's Island," and request that a vessel be immediately dispatched to the Leeward Isles to inform them of the posture of the French fleet and their intentions. The Assembly also petition the Governor and Council to inquire whether the Quakers have of late appointed solemn meetings and resolved not to send their hands to the fortifications or submit to pay the sugar appointed by law, which being contempt of law to the scandal of Government and great

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danger of this place, the House prays the Governor and Council to take fitting courses to prevent such pernicious practices. They also desire that the watch houses be established, and that the ships in the Bay be ranged in the best order of defence. John Higinbotham, clerk of the Assembly, to be paid his salary. [*Col. Entry Bk., Vol. XIII., pp.* 306–309.]

Ap. 16–17. St. John's (Antigua.) **662.** Minutes of the Council of Antigua. Present the whole Council, and 17 of the Assembly. 16 April. Ordered, that Captain Paul Lee of the Council, and Major Boraston of the Assembly for the Precincts of Falmouth, and Captain Samuel Jones of the Council, and Mr. Samuel Winthrop of the Assembly for St. John's, buy up all the arms and ammunition to be sold by any masters of ships or merchants, out of the common stock. That all persons making sugar pay their duties and levies in specie for the encouragement of masters or merchants. That the Captains in the divisions take an exact list of all men, women, and children, black and white, and that each man's family follow with the name of each white and black man, woman, or child, and the same to be forthwith sent to his Excellency. That an account be brought in of all orders for payment out of the Common Stock, that new orders may be granted for what is unpaid. That the Ministers have 12,000 lb. sugar or tobacco paid them annually out of the Public Stock.

April 17. Ordered, that three horsemen in each division by appointment of the chief officers there, ride about on Saturday afternoons and Sundays to take up all negroes without tickets. That no merchant or other be forced to take rattoon tobacco instead of plant or sugar, otherwise than as he and the debtor shall agree for. That a petition be preferred to his Excellency to supplicate His Majesty to include this Island in the peace here with the French, and that provision be made for the necessary charges. 1½ *pp.* [*Col. Papers, Vol. XXV., No.* 55*, *pp.* 760–761.]

April 17. Virginia. **663.** Thomas Ludwell to Secretary Sir Joseph Williamson, Acknowledges his letter of 31st Dec. (*see ante No.* 543) hopes he shall never lose his Majesty's favour nor His Honour's good opinion, for he will never err but through want of judgment. Their present condition doth not mend, since the disloyal party are still very high and insolent, and the loyal party much dejected for want of that countenance their actions and sufferings seem to merit, and by putting several of the most active out of civil and military offices. It is extremely necessary for His Majesty's service and the safety of this country that the next Assembly be commanded to send home a full and impartial account of all transactions since the beginning of the Rebellion. Likelihood that some of the Indians intend more mischief, in the event of a war with France. Heartily wishes Lord Culpeper's arrival, his long stay begins to be the wonder of all here. Alderman Jeffreys is too powerfully recommended by His Honor not to engage his best endeavours, but is afraid he shall not be able to do him that service he would, since his kindness hath brought

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him into inconveniences. Ludwell doubts, past his help. *Endorsed*, "R. 3 June." 2 *pp.* [*Col. Papers, Vol. XLII., No.* 55.]

April 17. [Barbadoes.] **664.** An Act to continue an Act to prevent the People called Quakers from bringing Negroes to their Meetings. Passed 17 April 1678. *Printed.* [*Col. Entry Bk., Vol. XV., pp.* 102-3.]

April 18. Nevis. **665.** Governor Stapleton to Lords of Trade and Plantations. Refers to his letters of 18th [February], and 30th March (*see ante Nos.* 605, 642). Is informed that yesterday the Count d'Estrées sailed from Martinique to join with the Governor of Tortugas who is at Basseterre on the French St. Christopher's with 1,200, some say 1,500, Buccaneers. His reinforcements from France and present forces. We are in what readiness the places can afford. He that is master of the sea will go near to be the same at land. Has their Lordships' commands of 9th January last (*see ante No.* 566). Concerning the stores which have been sent. Notwithstanding the great preparations of the French, their General, the Count de Blenac, has empowered the Chevalier St. Lawrence to treat with Stapleton or his Deputy upon St. Christopher's for the continuance of friendship. Judges it not imprudent or dishonourable to embrace their offer. His reasons. "Be pleased to beseech and advise his Majesty not to take it amiss from me, who may do it for the good of the poor planters, and not through any act of timidity, for I protest their great strength does not in the least terrify me, nor for ought I can see by the countenance of our men, the meanest soldier." "Recd. and Read to his Maj. in Council 14 June 1678." [*Col. Papers, Vol. XLII., No.* 56, *and Col. Entry Bks., Vol. XLVI., pp.* 393–306, *and Vol. CV., pp.* 258–259.]

April 18. **666.** Petition of Edward Randolph to the King in behalf of many of his loyal subjects living under the Boston Government. Complains that the Boston agents have by indirect means obtained copies of his Narrative of the State of New England and have sent over the same to their superiors, thereby discovering the King's councils and laying a scene of ruin to those persons whose names are expressed in his papers, or are suspected of loyalty to the King, and a test has been lately imposed, an oath of fidelity to their country, to be taken by all persons under penalty of being deprived the benefit of the law and being proceeded against as capital offenders. That there is a ship, one Phillips master by special leave now ready for his voyage to Boston, and because of the embargo no other convenience is like to offer for a considerable time. Prays that orders may be sent to the Boston Government to put no discountenance on those who have refused the test or have been favourable to him during his stay there or have corresponded with him since. *Underwritten*, "Read 18 Apr. 1678." 1 *p.* [*Col. Papers, Vol. XLII., No.* 57, *and Col. Entry Bk., Vol. LX., pp.* 255–256.]

April 18. **667.** Report of Edward Randolph to Lords of Trade and Plantations concerning the Massachusetts Government. Charges the Massachusetts Government with being guilty of all the mis-

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demeanours formerly exhibited against them, even by the confession of their agents in the petition wherein they desire pardon for the same, with having encroached on the bounds of the southern colonies in New England, with having fundamental laws repugnant to the laws of England, with not allowing liberty of conscience or the exercise of the religion of the Church of England, constraining all persons to be present at their meetings, with admitting none to a share in the Government, except those in full communion with them, with acting contrary to their charter and the King's commands in 1662 and others, with assuming powers not granted in the charter, entrenching on the Royal prerogative, with having lately enforced an oath of fidelity to the country instead of the oaths of allegiance and supremacy, with permitting no law of England to be in force there except first allowed and enacted by them, with falsely charging the King and his Ministers of State with not proceeding to any amendment, though timely administered thereto. *Endorsed*, "Read at the Committee, 18 April 1678." 3 *pp.* [*Col. Papers, Vol. XLII., No.* 58; *and Col. Entry Bk., Vol. LX., pp.* 267-275.]

April 18. **668.** Journal of Lords of Trade and Plantations. Randolph's petition complaining of the re-imposition of the oath of fidelity at Boston, read. The agents answer that a law was passed for administering the usual oath of fidelity to the country to such as had not taken it before, by reason of several malicious endeavours for firing the town fomented by the Quakers. The oath comprehends allegiance to His Majesty, and they cannot believe any thing of detriment was intended to the persons named by Mr. Randolph with favour, inasmuch as some who left Boston in February were ready to attest that none of them had received prejudice thereby. Mr. Randolph alleged that the oath was made at the very time their General Court acknowledged to have received intimation of what was under consultation before His Majesty, and, probably surmising there might ensue some alteration in their Government, revived this oath by way of test; where no mention is made in the Act to limit it to such as had not taken the oath before, but the words are general and that not only to be imposed in the town, where the danger of fire was pretended, but even over the whole country, and that by going from house to house; the allegiance to His Majesty comes in, but in the second place; although he could not give any instances of detriment hitherto befallen any of his friends, he well remembered the complaints he heard of the hard usage of those who submitted to His Majesty's Commissioners in 1664, in verification whereof he quoted His Majesty's letter of 1666. The agents endeavoured to mitigate any apprehension of ill that could possibly befall the parties mentioned by Mr. Randolph; they would answer it there to His Majesty at their perils; those very friends of Mr. Randolph's were chiefly instrumental in reviving the oath, and Governor Leverett expressed his dissatisfaction at the passing the Act at such a time; the form of the oath they

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acknowledged to be ill-advised; if His Majesty would enjoin the oath of allegiance separate, it would not be refused, and they themselves were ready to take it when required. Their Lordships agree to report that Mr. Randolph had sufficient ground for his petition, and that the unseasonable enjoining of the oath looked very suspicious, that all things stand not so fair in reference to many of His Majesty's good and loyal subjects as were to be wished; it is manifest the Government knew of the dislike which was expressed to the form of the oath, when the allegiance to His Majesty seems only grounded on their charter and not in natural obedience. Their Lordships advise His Majesty to signify his resentment of the enjoining that oath, as being a snare in the way of his loyal subjects, derogatory to his honour and defective in point of duty, allegiance to His Majesty and fidelity to the country being joined together in the same undecent form, and the fidelity even made to precede the allegiance. His Majesty does not for the present prescribe a form proper for them, but strictly commands the oath of allegiance to be taken by all his subjects within the colony. [*Col. Entry Bk., Vol. CV., pp.* 246–250.]

April 18. **669.** "A short account of New York's assistance to New England," being repetition of parts of "A short account of the General concerns of New York," *see ante, No.* 502. *Endorsed.* "Recd. from Sir E. Andros, 18 April 1678." 2 *pp. Printed in New York Documents, Vol. III., pp.* 264, 265. [*Col. Papers, Vol. XLII., No.* 59.]

April 19. Council Chamber. **670.** [Sir Robert Southwell] to Commissioners of the Customs. The Lords of Trade and Plantations having it under their special care to lay before His Majesty the general state of the Caribbee islands and to propose somewhat for their security, are very desirous that you would furnish them with some general computation of the number of ships and men with their burthen that trade to said islands, what are the general commodities sent thither, what returns are made with estimate of what importance this trade is to the kingdom, and in particular to His Majesty's customs, and what else the Commissioners conceive proper for their Lordships' information. [*Col. Entry Bk., Vol. XCVII., p.* 56.]

April 19. Whitehall. **671.** Journal of Lords of Trade and Plantations. Their Lordships enter upon the business of the Leeward Isles, and propose to lay before His Majesty a true and particular state thereof so that he may be the better enabled to make such provisions as their defence and security require. Colonel Stapleton's letters and accounts of the condition of the islands under his government are read. Mr. Harris, His Majesty's engraver, called in and promises to finish the seal for the Leeward Isles within a month at farthest. Upon the whole matter ordered that a report be prepared. On 25th April the report was read and approved. *See No.* 679. [*Col. Entry Bk., Vol. CV., pp.* 252–254.]

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April 22. Custom House, London. **672.** Commissioners of Customs to Lords of Trade and Plantations. Incloses Returns asked for in Sir Robert Southwell's letter. Ships bound to the Plantations from England usually carry great quantities of all English manufactures and commodities, also considerable quantities of foreign goods imported into England whereof half the custom upon exportation remains to the King. The Plantation trade is one of the greatest nurseries of the shipping and seamen of this Kingdom, and one of the greatest branches of its trade, venting yearly manufactures and commodities of this kingdom to a very great value. As to Scotland and Ireland they cannot by law have any trade with the Plantations except in servants, horses, and provisions. *Enclosed,*

672. I. II. III. Number of ships with their burdens entered inwards in the Port of London in the year ended Michaelmas 1677 from Barbadoes, Nevis, Jamaica, Antigua, Bermudas, Montserrat, St. Christopher's and Anguilla. Similar account of ships entered outwards in the Port of London for the same period and from the same islands. Total 26,687*l.* "Rec^{d}. 23 April 1678." *Together,* 4 *pp.* [*Col. Papers, Vol. XLII., Nos.* 60, 60 I., II., III.; *and Col. Entry Bk., Vol. XCVII., pp.* 56–59.]

April 23. Spring Gardens. **673.** Sir Robert Southwell to Governor Sir Jonathan Atkins. Acknowledges receipt of his letters of 31st January (*see ante No.* 592). Finds it his duty to acquaint Sir Jonathan that their Lordships are in extreme impatience for the receipt of the laws of Barbadoes which they have so often and so long time pressed for, and considering the compliance they find with other Governors, fears he may be censured if more inclined to satisfy others than answer their Lordships extracts of whose letters to him on this subject are transmitted, to which after all Governor Atkins says he must speak with the Assembly. Good wishes for his prosperity make Sir Robert so plain in this matter. The particular law recommended to his care shall have the fruits of it as soon as possible. *Draft with corrections.* 2 *pp.* [*Col. papers, Vol. XLII., No.* 61.]

April 23. St. Christopher's. **674.** Minutes of the Council of St. Christopher's. Proposed by the Governor to the Council and Assembly that as to the proposals of peace between England and France in this island, if concluded on, they will consent to and petition Governor Stapleton touching the same; unanimously consented to. [*Col. Papers, Vol. XXVIII., No.* 69, *p.* 19.]

April 24. **675.** Order of the Privy Council. Empowering the Lords of Trade and Plantations to administer the Oath of Allegiance to the Agents of New England. *Underwritten,* "Mem. The Committee took the oath accordingly 26 of Ap. 1678." 1 *p.* [*Col. Papers, Vol. XLII., No.* 62; *and Col. Entry Bk., Vol. LX., p.* 284.]

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April 24. Whitehall. **676.** William Blathwayt to William Freeman. Remembers Colonel Stapleton formerly made some account of Saba and Statia as necessary for the defence of other islands, saying on the latter he had left 140 men and 17 guns, but cannot tell if since then the Dutch have not pillaged it. Pray write by bearer what you know of these islands. *On same sheet.*

676. 1. Wm. Freeman to William Blathwayt. Supposes since that advice from Colonel Stapleton, it was taken by the Dutch and consequently the Fort demolished and guns taken off. Cannot give any further account. Purposes waiting upon him to-morrow. 1 *p.* [*Col. Papers, Vol. XLII., No.* 63.]

April 24. **677.** Answer of William Stoughton and Peter Bulkley the Massachusetts Agents to Sir Edmund Andros' petition. Are not furnished with those informations given by captive Indians and English taken by the enemy, concerning the supply of powder, &c., from the parts of Albany which Sachem Philip and the enemy Indians received during the late war, nor what part between the Petitioner and the Governor and Council of Massachusetts on his taking exception to a clause in their Declaration. Understand not how the Petitioner or any under him have been reflected upon, it being very possible that notwithstanding prohibition and care to the contrary, Philip and his accomplices might obtain ammunition without the knowledge of those in authority, of the indirect and wicked practices of such who will easily venture all for gain; who these were having never (as they know) discovered to the Massachusetts, there can be no danger of any man being punished by them as suggested. If a fuller answer is required from the Governor and Council, doubt not of a ready obedience. *Endorsed,* Recd. April 24, 1678. 1½ *p. Printed in New York Documents, Vol. III. p.* 266. [*Col. Papers, Vol. XLII., No.* 64; *also Col Entry Bk., Vol. LXVIII., pp.* 37, 38.

April 24. **678.** Order of the King in Council on the preceding answer of the Massachusetts agent. That His Majesty was pleased to declare that he found no cause to believe that any of his subjects from the parts of Albany supplied materials for war to Philip or other Indian enemies, nor could he perceive any ground for the imputation laid upon his subjects of Albany by the Massachusetts, and ordered that none of these be liable to any such imputation, unless the Massachusetts accuse any particular person and legally proceed against him within a year. This order to be transmitted by the Agents to the Massachusetts Colony. 1¼ *pp. Printed in New York Documents, Vol. III., p.* 267. [*Col. Entry Bk., Vol. LXVIII., pp.* 39–40.]

April 25. Council Chamber. **679.** Report of Lords of Trade and Plantations to the King. A long document of twenty-five pages recapitulating their several reports to his Majesty since 1675, on the state of the Leeward Islands, and stating how far some particulars have had their effect, viz.:— 1. That the Lord Treasurer has satisfied all Colonel Stapleton's

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arrears of pay and the [two] companies to 7th July 1677. 2. That the Quaker, ketch, has been sent to attend the service of those islands. 3. That fifty-seven soldiers recruits have arrived. 4. That the Commission for a Court of Admiralty was also sent. 5. That five of the six Ministers have arrived, were well received and provided for by the Governor's care. 6. That the other Minister sailed in February last with warlike stores to the amount of 1,039*l.* but as yet no news of their arrival. 7. That in same vessel was sent 400*l.* towards the fort at Cleverley Point. So what is left undone of what hath been proposed is:—1. As to the restitution of His Majesty's subjects, that the French possess on His Majesty's part of St. Christopher's above 4,000 acres of land and exclude 243 of His Majesty's subjects from their estates without any hopes of redress, "so that we are quite at a loss to know what to propose more than we have done, but must needs say that Your Maj. honor as well as the interest of Your languishing subjects, is highly concerned therein." 2. As to a certain fund for paying the Governor and the two companies. 3. As to sending over malefactors. 4. As to the seal. 5. As to more forts and new stores for the other islands. As to Barbadoes the dangerous neighbourhood of the French and a superior power at sea, may hazard that island by intercepting all supplies which it always needs. Yet otherwise it is very sufficiently defended by the inhabitants, who are listed to the number of 10,000 men that bear arms, in constant discipline, well appointed, and have two regiments of horse. Particular account of St. Christopher's containing 60,000 acres. The French are planted at the two ends of the island, and have at least one half: their Governor is the Sieur de St. Laurens. Nevis contains 32,000 acres. They have a regiment of Militia of 1,300 men with a troop of 60 horsemen. Antigua contains 120,000 acres, a regiment of 770 Militia and a troop of 33 horsemen. Montserrat contains 60,000 acres, one regiment of 877 Militia, and a troop of 40 horsemen; most of the inhabitants are Irish. In these four islands there are 15 forts, and 100 guns, and 3,871 of His Majesty's subjects bearing arms. The French and Dutch in St. Christopher's are 270, and the Irish 700 in Montserrat. For naval strength there is nothing but the Quaker, ketch. There are also four smaller islands not unworthy of protection, viz.:—Anguilla, Statia, Saba, and Tortola. Description of and remarks upon their importance. Have much esteemed the vigilance of Colonel Stapleton in possessing himself of these islands; reasons. There is also Barbuda which serves only for pasture; there are only twenty servants on this island to tend the cattle. Account of the French islands adjoining, their force and the care taken for their preservation. How much the French wish to be masters in all these parts. The General Governor in a letter to the King his master before the late war, earnestly solicited four ships and 500 men with which he would carry the Leeward Isles, and, he hoped, Barbadoes. Estimate of stores of war needful to be sent to the Leeward Isles. What is proposed as necessary to defend them. Upon the whole matter presume to lay before His Majesty's consideration: 1. That these islands are annexed to His Majesty's Crown and the trade of them

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appropriated by law to this Kingdom. 2. That the capital stock of His Majesty's subjects, the inhabitants, is worth above a million. Considerations of the importance of these islands and the detriment that might follow on their seizure by France, with the probability thereof. Advice upon the whole. Of opinion that the first distress and shock of war will fall upon these islands. That he who begins at St. Christopher's will undoubtedly carry it. That if the French take away only the stock and materials, and leave these islands desolate they will not as to themselves be worth the charge of retaking. That the preservation of other parts lying in the defence of these "it concerns Your Maj. honor, your profit and the public advantage to speed away such supplies of ships & men as may be necessary." Think a force at sea necessary above all things, and conceive a very little force more than what will suffice for defence may be able to subdue all "which we cannot, in the season that shall be fit but advise Your Maj. unto, inasmuch as between taking all and losing all, there seems no middle way left." *Signed by* Anglesey, Bridgwater, Craven, Essex, Fauconberg, G. Carteret, J. Ernle, and Robert Southwell. [*Col. Papers, Vol. XLII., No.* 65; *and Col. Entry Bk., Vol. XLVI., pp.* 273–299.]

April 25. **680.** Journal of Lords of Trade and Plantations. The Agents of New England ordered to attend the Committee next day for the Oath of Allegiance to be administered. [*Col. Entry Bk., Vol. CV., p.* 254.]

April 25. Barbadoes. **681.** Governor Sir Jonathan Atkins to Lords of Trade and Plantations. Received His Majesty's letter, with petition enclosed of Richard Payne, a pretended deputy to Sir Ernestus Byron, long since dead, who had the King's patent for Escheator of Barbadoes, with command to inquire into the truth of Petitioner's complaint, which he has done, and sends copies of the records concerning same. When Sir Jonathan arrived Payne petitioned complaining of hard usage and three years' imprisonment, and the Governor found Petitioner was in upon execution at the suit of Colonel Henry Walrond for slocking, as they call it here, of four negroes from him, and as he was never able to pay the Governor prevailed with Colonel Walrond to set him at liberty. The French have continued long at Martinique since their enterprise of Tobago, which much amused us, but did us no harm, for it quickened us as to our own security. Has advice from the Leeward Islands that 800 Buccaneers landed at St. Christopher's for the French. Knows not how those islands are furnished for defence. *Encloses,*

681. I. Colonel Henry Walrond and Samuel Farmer to Governor Atkins. Present him with a true and impartial narrative of the case of Richard Payne and Colonel Walrond and Samuel Farmer. 1678, April 18.

681. II. Minute of the Council of Barbadoes. That Richard Payne was committed by Samuel Farmer, Judge of the Court of Common Pleas, for contempt in refusing to give security to Colonel Walrond for negroes found on trial

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to belong to Walrond's estate. That said Payne was legally committed and is hereby ordered to continue in custody. 1672, Dec. 17. Attested copy by Edwyn Stede Deputy Secretary.

681. III. Journal of the Lords of Trade and Plantations. On 13th June a packet is received from Sir Jonathan Atkins enclosing papers concerning the case of Richard Payne, deputy to Sir Ernestus Byron, Escheator of Barbadoes. Also another letter from Sir Jonathan to William Blathwayt. 1678, June 13. [*Col. Papers, Vol. XLII. Nos.* 66, 66 I., II.; *also Col. Entry Bks., Vol. VI. pp.* 229, 230; *and Vol. CV., pp.* 258, 259.]

April 25. Port Royal. **682.** Minutes of a Council of War. Report of Lieutenant-Governor Sir Henry Morgan of what has been done to the fortifications on Port Royal since their last meeting, and what he proposed to complete there and at other places on the Island; and, as they could not be finished within the time in their last order, that martial law be in force till 10th June. [*Col. Entry Bk., Vol. XXXV., p.* 653.]

April 25. Port Royal. **683.** Minutes of Council of Jamaica. That the Judges meet at their usual terms and issue the Proclamation which follows for martial law to be in force until 10th June. That the Governor expected Lord Carlisle would suddenly arrive, but he was unwilling to draw off the officers from their respective commands, so did not intend to issue writs for calling an Assembly. Petition of James Hardin, John Willmott, and others, executors of Nicholas Alexander, deceased, in behalf of his daughter, an infant, to Lieutenant-Governor Morgan and Council. For securing the estate of Andrew Abbington, a debtor to Nicholas Alexander, in favour of the daughter of deceased. Council being heard on both sides, agreed that the relief prayed for was not in their jurisdiction to grant, so petition was dismissed. [*Col. Entry Bk., Vol. XXXV., pp.* 654–657.]

April 25. Whitehall. **684.** Petition of Frances, wife of Adjutant William Morris, in His Majesty's service in Virginia, to the King. That some part of her husband's arrears may be paid her. Referred to the Lord High Treasurer to report what His Majesty may fitly do for Petitioner's relief. ½ *p.* [*Dom. Entry Bk., Chas. II., Vol. XLVI., p.* 228.]

April 26. Whitehall. **685.** Order of the Privy Council. Report of Lords of Trade and Plantations of 18th April last read, on petition of Edmund Randolph complaining of the reimposition of the oath of fidelity in Massachusetts; the Massachusetts agents being summoned to attend the Committee, acknowledged that in the Assembly at Boston in October the usual oath of fidelity to the country was ordered to be administered to those who had not taken it before, by reason of several malicious endeavours for firing the town fomented by the Quakers, but that the oath comprehended allegiance

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to the King, and they cannot believe any detriment was intended to those named with favour by Randolph, as some of them were at the door to attest that they had not received any prejudice. To this it was answered that the Oath was made at the very time that the General Court received intimation of what was under consultation before the King, and by way of test revived the imposing this oath anew, where no mention is made to limit it to those who had not taken it before, but the words are general, to be imposed not only in the town where there was danger of fire, but all over the country, with new penalties on refusers; that the allegiance to the King came in the second place and not with the requisite solemnity; that, although he could not instance any detriment hitherto befallen any of his friends, he well remembered the complaints he heard of the hard usage which had befallen those who submitted to the King's Commissioners sent over in 1664, for verification of which he referred to the King's letter sent in 1666. The agents endeavoured to mitigate any apprehension of ill that could possibly befall the parties mentioned, and would answer for it at their perils; that those very friends of Randolph were chiefly instrumental in reviving the oath; that the Governor intimated his dissatisfaction with it; that they themselves consider the form ill-advised, and are assured that if the King should enjoin the Oath of Allegiance separate, it would not be refused, and they, though not having taken such oath, are ready to take it when required. The Committee, being of opinion that Randolph had sufficient ground to petition, and that the unseasonable enjoining of the oath made it look suspicious that all things stand not so fair with reference to the King's loyal subjects as were to be wished, advise that the King by letter should signify his displeasure at the untimely enjoining of the Oath, which is derogatory to the King's honour and defective in point of duty, and that orders should be given for the administering of the Oath of Allegiance as by law established, to all in the Colony of years to take it, and that though other matters are before the King, yet this is of so fundamental concern that the signification of his pleasure could not be longer omitted. Approving said report and ordering Mr. Secretary Williamson to prepare a letter for the King's signature pursuant thereunto. 6 *pp.* [*Col. Papers, Vol. XLII., No.* 67; *and Col. Entry Bk., Vol. LX., pp.* 257–263.]

April 26. **686.** Journal of Lords of Trade and Plantations. The Oath of Allegiance administered to the Agents of New England, who declare that as they have taken the oath, so they believe the magistrates of Massachusetts, and all other inhabitants will most willingly do the like, except such as refuse to take any oath whatsoever. *Mem.*—Their Lordships' report about the Oath of Allegiance to be taken by the Massachusetts was this day approved in Council, and a letter accordingly despatched by Mr. Secretary Williamson on the 27th was delivered to Captain Philips, bound for New England, as appears by his receipt of the 29th instant. [*Col. Entry Bk., Vol. CV., p.* 255.]

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April 26. Nevis. **687.** Governor Stapleton to Lords of Trade and Plantations. "The foregoing lines" (*see ante, No.* 665) were designed to be sent when they were alarmed by the sight of the Count d'Estrées' fleet, when he came near the Fort (he fired never a gun). Thought his striking was enough. He is still at Basseterre; his force. We are in arms constantly two hours before day (*sic*). All the people at St. Christopher's retired to the new Fort. Has sent to d'Estrées to demand 150 or 200 of His Majesty's subjects among the Buccaneers, he has promised to discharge them. Sends power to Secretary Coventry given by the French General to conclude a peace in case of rupture in Europe. Prays he may have the like. This poor island has lost the making of a million of sugar every week these two months. "Rec. & Read to his Maj. in Council 14 June 1678." [*Col. Papers, Vol. XLII., No.* 56; *and Col. Entry Bks., Vol. XLVI., pp.* 306–308; *and Vol. CV., pp.* 253–259.

April 26. Nevis. **688.** Governor Stapleton to Sir Robert Southwell. Has received the several books and parchments and commissions to swear the Deputy Governors and be sworn. Is constantly in arms to observe the motion of the Count d'Estrées' fleet; his strength. Not knowing when he may be attacked or when he may see English St. Christopher's afire; will plead his excuse for not executing their Lordship's commands. Before this could have conveyance the French fleet sailed from St. Christopher's, but knows not whither. "Recd. and Read to his Maj. in Council 14 June 1678." [*Col. Papers, Vol. XLII., No.* 68; *and Col. Entry Bks., Vol. XLVI., pp.* 312–314; *and Vol. CV. pp.* 258–259.]

April 26. Nevis. **689.** Governor Stapleton to William Blathwayt. By Captain Hare has received the Commissions to swear and be sworn. Is now in arms at the seaside, having in sight of Basseterre road 35 French men-of-war, 20 King's men-of-war, the others privateers; does not know their design, whether war or peace. Cannot execute their Lordships' orders yet. Has with much ado borrowed from his military duty to give them information of occurrences. Has received nothing. Mrs. Hall of Antigua. "Rec. and Read to his Maj. in Council 14 June 1678." 1 *p.* [*Col. Papers, Vol. XLII., No.* 69; *and Col. Entry Bks. Vol. XLVI., pp.* 311–312; *and Vol CV. pp.* 258–259.]

April 26. Nevis. **690.** Governor Stapleton to (Secretary Sir Joseph Williamson). Sends as often as he can to their Lordships, being in arms night and day to prevent surprise from the French fleet under the Count d'Estrées who is in sight at Basseterre road in French St. Christopher's with 35 sail, besides four fire ships; fifteen are small privateers or buccaneers as we call them, with 1,200 men at least, and twenty are ships of war. Two hours of a north wind might bring them here.

April 29. Before sealing the preceding. At daybreak on 27th twenty-eight of the ships were discovered tacking, but the wind being south they could not come in, and about sunset went away either to

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Martinique or Curaçao. They give them the trouble of being in arms to the incredible detriment of the poor planters. 2 *pp.* [*Col. Papers, Vol. XLII., No.* 70.]

April 27. Whitehall. **691.** The King to the Governor and Council of the Massachusetts Colony in New England. The King understands that in October last a law was passed in their Assembly at Boston for reviving and administering a certain oath of fidelity to the country when they had intimation by their agents here of His Majesty being displeased at the form thereof, as highly disrespectful to His Majesty, "and seems to be intended as a snare in the way of many of our good subjects there, of whose preservation we shall ever be tender." The King has thought fit to signify that His Majesty takes the untimely renewing of this oath very ill, as derogatory to His Majesty's honor as well as defective in point of their duty, inasmuch as the allegiance due to us and the fidelity to the country are joined together in the same indecent form, wherein such fidelity is made even to precede your allegiance to us." The King does not for the present prescribe the form of the corporation oath, but strictly commands that the Oath of Allegiance as by law established in England be administered and taken by all His Majesty's subjects who are of years to take an oath. This being so fundamental a concern to our dignity and government, we could not omit any longer to signify our pleasure therein, though other matters of moment relating to that our Colony are still depending before us. [*Col. Entry Bk., Vol. LX., pp.* 263–264.]

April 27. Whitehall. **692.** The King to John, Lord Vaughan, Governor of Jamaica. Requires him upon the receipt of these our letters, to surrender the Government of Jamaica to Charles, Earl of Carlisle, and acquaint him with all matters concerning the present state of the island necessary for his information, and then to repair to His Majesty's presence to give account of affairs in those parts. [*Col. Entry Bk., Vol. XCV., p.* 268.]

April 27. Whitehall. **693.** Secretary Sir H. Coventry to John, Lord Vaughan. At last the Earl of Carlisle has taken leave of His Majesty in order to his voyage to Jamaica, which will give Lord Vaughan the opportunity of returning to the embraces of his friends here who will rejoice to see him in safety. Shall receive particular satisfaction in enjoying his Lordship here again. "And as I know my Lord of Carlisle to be a person of that great wisdom and honor that no misunderstanding can possibly arise between you two, so I shall as little doubt but your Lordship will yield him sufficient reason to applaud the method you have used in your government there." [*Col. Entry Bk., Vol. XCV., p.* 269.]

April 27. **694.** Report of [Attorney and Solicitor General] to Lords of Trade and Plantations. Have considered the paper, and the Connecticut and Rhode Island Charters, and the maps and other papers sent, and find that the Narraganset country is granted to both

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colonies, but the Connecticut grant being first has priority of title, yet in the Rhode Island grant there is some mention of a consent by Connecticut, and after all this on a Commission of the King lies seized and made the King's Province and neither of the colonies to have it. Cannot reconcile these matters, but submit whether their Lordships will not be pleased to let the matter remain as it has been settled by the King's Commission till the parties be heard and the matter better explained. *Endorsed*, "Recd. & presented the 27 April 1678." 1 *p.* [*Col. Papers, Vol. XLII., No.* 71.]

April. **695.** [Sir Robert Southwell] to the Attorney and Solicitor-General, with their Answers. As to the legality of the original charter of Massachusetts, of the Quo Warranto of 1635, and whether the Corporation by mal-administration has forfeited their charter. In the opinion of the King's two Chief Justices the original charter is good in point of creation, the Quo Warranto was not so brought or the judgment so given as to cause a dissolution of the charter, if the misdemeanours objected against the Massachusetts can be proved to be true and that they were committed since the Act of Oblivion, they contain sufficient matter to avoid the Patent, but that can only be done by a Quo Warranto. *Endorsed*, "Read 16 May 1678." *Two papers.* [*Col. Papers, Vol. XLII., Nos.* 72, 73, *and Col. Entry Bks., Vol. LX., pp.* 265–268.]

April 27. Barbadoes. **696.** Governor Sir Jonathan Atkins to William Blathwayt. Has received a letter from His Majesty and enclosed a petition of Richard Payne complaining of hard usage here by false imprisonment, which was done before Sir Jonathan came. By His Majesty's commands has examined the truth of the proceedings, and sends copies of all records concerning same, that their Lordships may have a true account. ½ *p. With seal.* [*Col. Papers, Vol. XLII., No.* 74.]

May 2. Nevis. **697.** Governor Stapleton to Lords of Trade and Plantations. Movements of the French fleet; they could not fetch any part of the island without several tacks though they kept in sight all day, about sunset they bore away. Apprehensive they have gone to Martinique to wait for further orders or to take in men to attack some part of this Government, if they have the first news of war. They expect more ships and a regiment of 8 companies from home. The French who have sworn allegiance have deserted us at St. Christopher's and repaired to the French ground on the arrival of d'Estrées at Basseterre road. The Indians strike a greater terror for their cruelties than any Christian strength of which there has been woeful experience. Was forced by the clamours and cries of the people to secure the helpless sex, old men, and children. "Rec. and Read to his Maj. in Council." 1 *p.* [*Col. Papers, Vol. XLII., No.* 75, *and Col. Entry Bks., Vol. XLVI., pp.* 308–311; *and Vol. CV., pp.* 258, 259.]

May 7. **698.** Journal of Assembly of Barbadoes. Matters under consideration:—1. Account of the arrears of levies since 1671. 2. The

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poor serving as guards not able to provide for themselves. 3. The number of negroes to be brought down upon alarm, and how to be managed. The second taken care of by an Act allowing each poor guard 7½*d.* a day, and the third also by an Act this day passed. Acts to strengthen the Militia and for establishing the Courts of Common Pleas, passed.

May 8. Ordered that John Hallett, Treasurer, pay 200,000 lbs. of Muscovada sugar to the Governor, for his better support in the Government, out of the excise on liquors imported. Order for the disposal of the supply of arms received from Captain Charles Howard, the prices to be paid and the commission to Robert Chaplin for his kindness to the country, and the remainder of the money returned to him as far as will make him full payment and satisfaction for what he has disbursed for said arms. Duty on twenty puncheons of beer to be remitted to Captain Thomas Crofts. Salary of John Forbes, Marshal, to be paid, also 5*l.* 15*s.* to Paul Gwynn for the accommodation of the officers of the Assembly. Ordered that John Hallett, Treasurer, hire a vessel to be sent to the Leeward Isles for intelligence. The Assembly, finding their year will expire on Tuesday (14th), order that their records be left in the hands of the present Speaker until a new election, and then delivered to the then Speaker. [*Col. Entry Bk., Vol. XIII., pp.* 309–313.]

May 8. Sadler's Hall, Cheapside. **699.** Minutes of a Great and General Quarter Court, being a Court the election of officers for the Somers Islands Company. Concerning the cause between Henry Sandys and William Righton with reference to a share of land in Bermuda; that said Righton have time until next Quarter Court to make out his title to his said share of land, when the Court will give judgment in said cause. Underwritten is a notice to William Righton to attend the Quarter Court at Sadler's Hall in Cheapside, on 26th June 1678, when judgment will be given. *Signed by* Robert Harison, Beadle. 3 *pp.* [*Col. Papers, Vol. XLII., No.* 76.]

May 15. Whitehall **700.** Order of the King in Council. The Lords of Trade and Plantations having represented to His Majesty the necessity of a regiment for the security of the Leeward Islands, the Duke of Monmouth is directed to cause estimate to be made of the charge of raising one thousand foot soldiers, with clothes, provisions, and arms, and transportation and subsistence for one year. [*Col. Entry Bk., Vol. XLVI., p.* 381.]

May 15. Whitehall. **701.** Order of the King in Council. The Lords of Trade and Plantations having represented the necessity of sending six ships of war for the security of the Leeward Islands, the Lords of the Admiralty are directed to prepare estimate of the charge. [*Col. Entry Bk., Vol. XLVI., pp.* 281, 282.]

May 15. Whitehall. **702.** Order of the King in Council. The Lords of Trade and Plantations having presented an account of stores of war necessary

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for the Leeward Islands, the Master of the Ordnance is directed to prepare estimate of the charge. *Annexed,*

702. I. Estimate of the charge of Ordnance carriages, shot, powder, arms, and gunners' stores for supply of the Leeward Isles. Total, 3,691*l.* 18*s.* "Rec. 31 May 1678." [*Col. Papers, Vol. XLII., No.* 77 I.; *and Col. Entry Bk. Vol. XLVI., pp.* 380–384.]

May 16. **703.** Petition of William Stoughton and Peter Bulkeley to Lords of Trade and Plantations. Acknowledge their misundertanding in not representing over to their superiors anything presently to be done (save in the matter of Trade and Navigation), which was the true cause of the omission which their Lordships have taken notice of. Dwell on the benefits that would follow on the King granting the petition of the inhabitants of the four towns. Crave their Lordships' consideration of their long absence from home for 18 months, so that they may receive a gracious answer from the King. "Read May 16, 1678." 1 *p.* [*Col. Papers, Vol. XLII., No.* 78; *and Col. Entry Bk., Vol. LX., pp.* 276–278.]

May 16. Whitehall. **704.** Lords of the Privy Council to the Lord Treasurer. Have received a petition from Mr. Randolph setting forth his services in New England and entreating their commendation of his pretensions to be employed as Collector of the Customs at Boston. Declare that, if ever they are able (as they are endeavouring) to lay before the King a full and perfect narrative of the condition of New England and what may conduce to the King's service in the settlement of that great affair; they have had more light and information from Mr. Randolph, than from any person else, he having at all times attended their meetings. Cannot but acquaint his Lordship with their good opinion of his zeal and capacity to serve the King in that employment; recommend him to his Lordship's favour. 1 *p.* [*Col. Papers, Vol. XLII., No.* 79; *and Col. Entry Bk., Vol. LX., pp.* 278, 279.]

May 16. **705.** Journal of Lords of Trade and Plantations. Petition of the Agents of Boston read, with the answer of Mr. Attorney and Mr. Solicitor-General to the queries referred to them by Order of 8 April (*see ante, No.* 653). Report ordered to be prepared, reciting all things past from the first settlement of New England, the encroachments and injuries practised by the Massachusetts on their neighbours, their contempts of His Majesty's commands, and their Lordships' offer their opinions that a Quo Warranto be brought against the charter, and new laws framed instead of such as are repugnant to the laws of England. Recommend Mr. Randolph to the Lord Treasurer for a favourable issue of his pretentions to be Collector of Customs in New England. *Mem.*—The Lord Treasurer having received the recommendation and acquainted His Majesty, His Majesty approves and orders a commission to be prepared. [*Col. Entry Bk., Vol. CV., pp.* 256–258.]

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May 16. **706.** Inquiries delivered to Wm. Stoughton and Peter Bulkley, Agents for Massachusetts, for their answer pursuant to the Order of the Lords of Trade and Plantations. *See No.* 746 *for answer to same.* 6 *pp.* [*Col. Entry Bk., Vol. LX., pp.* 279–283.]

May 17. Whitehall. Treasury Chambers. **707.** Report of Lord Treasurer Danby to the King. On petition of Thomas Sands of London, merchant, praying, for reasons therein set forth, liberty to ship out of Virginia free of impost, 580 hogsheads of tobacco; that he concurs with the Council of Virginia, who have thought it reasonable Petitioner should have the reparation prayed for. *Endorsed,* "Read and approved May 24, 1678." 2 *pp.* [*Col. Papers, Vol. XLII., No.* 80.]

May 18. St. James'. **708.** Commission to Sir Edmund Andros. His Royal Highness' Governor of New York and Dependencies to be His Royal Highness' Vice-Admiral of said colony. *Mem. only.* [*Col. Entry Bk., Vol. LXX., p.* 26.]

May 18. St. James'. **709.** Warrant of the Duke of York to Sir Allen and Sir Peter Apsley. To pay to Sir Edmund Andros 1,100*l.*, the equivalent of 1,381*l.* 10*s.* 5½*d.*, Beaver pay, due to him on the accounts for New York, from June 1674 to Nov. 1677, "in order to his speedy return into those parts." *Printed in New York Documents, Vol. III., p.* 267. [*Col. Entry Bk., Vol. LXX., p.* 25.]

May 18. St. James'. **710.** Warrant of the Duke of York to Sir E. Andros. To increase the duty on rum imported into New York, on account of its excessive use and pernicious consequences, being particularly fatal to the health of many of His Majesty's subjects there, owing to the smallness of the duty imposed, "which the Bostoners have already in some measure prevented by raising the said duty considerably within their colony." *Printed in New York Documents, Vol. III., p.* 268. [*Col. Entry Bk., Vol. LXX., p.* 25*b.*]

May 20. St. James'. **711.** Warrant of the Duke of York to Sir E. Andros. To appoint a Judge Register and Marshal of the Admiralty in New York. *Printed in New York Documents, Vol. III., p.* 268. [*Col. Entry Bk., Vol. LXX., p.* 26.]

May 22. **712.** Receipt of Captain John Ward for 62*l.* 2*s.* 10*d.* from John Levin and Edward Thornburgh, by order of John Palmer of New York, who married the relict and executrix of John Winder, deceased. *Endorsed,* "Read 4 March 1680." [*Col. Papers, Vol. XLII., No.* 81.]

May 24. **713.** Lords of Trade and Plantations to the Earl of Clarendon. Being engaged in preparing a report concerning New England, and finding by report of Lord Gorges that one William Lutterell, a servant of his grandfather, Sir Ferdinando Gorges, President of the Council of Plymouth, had given the Earl of Clarendon, soon after the King's restoration, a book of the Council's proceedings which was never returned, and Mr. Robert Mason informing them that in

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1662, at the Earl's command, he delivered to him a large book in folio bound in parchment, being a Journal of the Council's proceedings from 1620 to 1639, containing the grants made by the Council and the Act of Surrender, and gave also several other papers belonging to his grandfather, Mr. John Mason, but that he never received back any of them, and on application had answer as if they did not now appear, yet may easily be buried among the many books and papers the Earl, his father, left, and seem too many to be lost, if a strict search were to be made, the Committee desire his Lordship as a matter of much consequence to cause a diligent search to be made for those things, and to give an account thereof with all convenient speed. 2 *pp.* [*Col. Papers, Vol. XLII., No.* 82.]

May 26. June 6. Middelburg. **714.** Marke Fletcher to Secretary Sir Joseph Williamson. Wrote to him on 23 September last requesting his favour to procure His Majesty's patent for erecting a new colony on the main continent of America, according to the tenor of his petition, copy of which he encloses. If it succeeds it must be of advantage to the nation, and no prejudice to any one, and is willing to adventure the charges, for to any one but himself it is not of the least worth or value. Promises himself shortly to see the effects of his good will. "Rec. 19 July 1678." *Annexed,*

714. I. The petition above referred to (but the name of Marke Fletcher has been struck thro' and the letters A. B. substituted). Offering to settle a plantation under His Majesty's authority on the main continent of America to the leeward of Surinam and Essequibo, called Demerara in case His Majesty would grant his patent for the establishment thereof, or at least a provisional order to prosecute the affair. Order of the Lords of Trade and Plantations on said petition of A. B. presented by Secretary Williamson. That Petitioner more fully explain himself in some necessary particulars which are by letter put into Secretary Williamson's hands for Petitioner's answer.

714. II. Sir Robert Southwell to Secretary Williamson. Their Lordships not having an opportunity of discoursing with "the proposer" desire to be informed on certain points. As to whether any are seated thereabouts, what tract of land he means to take in, and the description, under what tenure the benefits to be expected, what associates, stock and strength to maintain the place, and lastly, how far he proposes free trade contrary to the Act of Navigation. Council Chamber, 1678, July 30. [*Col. Papers, Vol. XLII., Nos.* 83, 83 I., II.; *also Col. Entry Bk., Vol. CV., p.* 265.]

[May 27 ?] **715.** The Duke of Monmouth to Sir Thomas Chicheley. Has received an Order of the Privy Council to prepare an estimate of the charge of 1,000 soldiers in 10 companies, to be raised for defence of the Leeward Isles, and their subsistence there for 12 months Desires him to send an account of the charge of arms and ammunition

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for that number of men for one year, also for the officers requisite to take care of said stores. ½ *p.* [*Dom. Entry Bk., Chas. II., Vol. XLI., p.* 129.]

[May 27 ?] **716.** The Duke of Monmouth to Mr. Pepys. Similar letter to the preceding, but desires him to send an account of the charge of their transportation, and of the necessary provisions for the officers and soldiers. ½ *p.* [*Dom. Entry Bk., Chas. II., Vol. XLI., p.* 128.]

May 31. Port Royal, Jamaica. **717.** Minutes of Council of War. Upon the present emergency of affairs, ordered, after debate, that no ship be permitted to sail for Europe until a fortnight hence, when a good fleet of merchantmen would be ready, whereby they might in some measure secure themselves. [*Col. Entry Bk., Vol. XXXV., p.* 658.]

June 1. **718.** Relation of Thomas Wigfall, Master of the Advice sloop, sent to the coast of Hispaniola. That upon 3rd or 4th May last, as Count d'Estrées was sailing with his whole fleet to Curaçao, about 8 at night, he ran upon the shores of the Isle of Aves, who, with two frigates finding themselves aground, fired three guns apiece, but the rest mistaking it for the signal of a council of war crowded in, and there perished with near 500 men, 250 brass, and 300 iron guns. All had run the same fate but for a small privateer who gave notice of the danger. Count d'Estrées' ship "burst" all at once, who was saved with difficulty, but most of his men lost. The Count stayed off Petit Guavos until 28th May, and then sailed with seven ships, all that remained, to France, but was forced to leave 500 of the Old France men behind. 2 *pp.* [*Col. Papers, Vol. XLII., No.* 84.]

June $\frac{3}{12}$. Barbadoes. **719.** Governor Sir J. Atkins to Lords of Trade and Plantations. Actively providing for their own defence. Have repaired former fortifications and built new ones, and provided new arms, the air very pernicious against keeping things made of iron. In a very short time their defences and their militia will be in good posture. The last intelligence, the French fleet at St. Christopher's, then thirty sail, including fourteen men-of-war; they used no acts of hostility, and believes they have gone home for they have been long at sea, and their men very sickly, and many dead. Everyone thinking of fitting and putting on his armour. Has thought fit to send ships home in fleets, thirty-seven went in the last fleet, and twelve go in this. 2 *pp.* [*Col. Papers, Vol. XLII., No.* 85, *and Col. Entry Bk., Vol.* 6, *pp.* 233, 234.]

June $\frac{2}{12}$. Barbadoes. **720.** Governor Sir J. Atkins to [Sir Thomas Dolman]. Refers to former letters which have not been understood, the common fate of letters of business. Has endeavoured to give their Lordships satisfaction as to the laws, and explains their necessity, and why some have been re-enacted. It will take some time to transcribe

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all the former laws. The Council and Assembly very averse to part with them, which were the foundation of the first settlement, and upon which they conceive their proprietary depends. Shall very rarely, if the war proceeds, have opportunity of correspondence. Our business is to secure ourselves as well as we can. The lying of the French fleet in these parts hath given us no small trouble and charge. "Rec. 29 July." 2 *pp.* [*Col. Papers, Vol. XLII., No.* 86, *and Col. Entry Bks., Vol. VI., pp.* 230–232, *and Vol. CV., p.* 260.]

June 4. **721.** Report of King's Counsel to the Duke of York on the Petition of Killian van Rensselaer. Find that to the heirs of William van Rensselaer the lands called the Rensselaers Wyck, heretofore called Williamstad, and now Albany, doth of right belong by a sale made to their predecessors in the year 1630, and that they have been for some years unduly kept out of the enjoyment thereof. Conceive that it is just that the said lands with all former privileges be granted to the Petitioners, excepting Orange Fort and the land it stands upon, and that those who have built houses on the lands while the Petitioners have been out of possession, since 1652, should hold the same for 31 years, paying two beaver skins or one according to the value of the houses, and that the Petitioners should perform all public duty and pay impositions imposed upon them. *Signed by* John Churchill and Heneage Finch. 2 *pp. Printed in New York Documents, Vol. III., p.* 269. [*Col. Papers, Vol. XLII., No.* 87.]

June 5. **722.** The Aggrievances of the Queen of Pamunkey and her son Captain John West. Against the Chickehominies, who were once under her command, and being reduced to a small number, were by the peace by their own consent annexed again to her Government. *Mem.*—These were presented to the Court 5th June, the Governor not being well, the Secretary sat as President, and returned back. 2 *pp.* [*Col. Papers, Vol. XLII., No.* 88.]

June 7. St. James's. **723.** Warrant of the Duke of York to Sir Edmund Andros. To grant to the heirs of Killian van Rensselaer the lands called Rensselaer's Wick, heretofore called Williamstad, and now Albany, excepting Orange's Fort and its outworks. 1 *p. Printed in New York Documents, Vol. III., p.* 269. [*Col. Entry Bk., Vol. LXX., p.* 26.]

June 7. **724.** Sir John Werden to Sir Edmund Andros. Transmits the warrant in favour of Rensselaer's petition, with directions to regulate the rent to be charged on existing settlers on his lands. ½ *p.* [*Col. Entry Bk., Vol. LXX., p.* 26*b*.]

June 7. Port Royal. **725.** Minutes of Council of Jamaica. Ordered, the Advice sloop having returned from Hispaniola, that she have 20*l.*, and Mr. Wigfall 10*l.* for his particular good service and readiness to obey the Governor's orders. Upon the news from Hispaniola, ordered that

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all ships now in harbour be permitted to sail. The Council of opinion that martial law be not continued, the same reasons prevailing in that as in taking off the embargo. [*Col. Entry Bk., Vol. XXXV., pp.* 658, 659.]

June 7. **726.** Petition of Lieutenant-Colonel Augustine Warner to Secretary Ludwell, President, and the Council of Virginia. That Captain William Bird of Henrico county, in September 1676, with Bacon and about 200 armed men forcibly entered Petitioner's dwelling-house in Abbington parish in Gloucester county, and took his goods and merchandise to the value of 845*l.* 2*s.* sterling, to the Petitioner's damage of at least 1,000*l.* sterling, who has brought his action against said Captain Bird. Prays for judgment, with depositions of John Townley, William Blackburn, William Sympson, Richard Scarlett, and William Overton, and Minute of the General Court that Thomas Grindon, Attorney of said Bird confesseth judgment, which is granted to Petitioner on condition that Captain Bird by 3rd November next have liberty to appear in his own defence against said judgment, and that in case he die before such time, this judgment be void and of none effect. 3 *pp.* [*Col. Papers, Vol. XLII., No.* 89.]

June 8. James City, Virginia. **727.** Orders of a General Court, held at James City. After reading His Majesty's letter in behalf of Sarah, widow of William Drummond, who had commenced suit against Lady Frances, as executrix of Sir William Berkeley, deceased, and after debate thereon it was urged that her petition to the King was in many particulars highly false and scandalous. Captain Thomas Swann, son of Colonel Thomas Swann, and son-in-law to said Sarah Drummond, appearing in her defence, declared that the substance of said petition was not so much her averment as that of His Majesty's Commissioners. The Council is of opinion that the matter doth not lye before them, the Governor by reason of sickness not being present. *Certified copies by Henry Hartwell, Cl. Con.* 1 *p.* [*Col. Papers, Vol. XLII., No.* 90; *also Col. Entry Bk., Vol. LXXXI., pp.* 531, 532.]

June 10. **728.** An exact state of the establishment in Virginia, made this 10th day of June 1678 (in the handwriting of Governor Lord Culpeper). Total amount 6,283*l.* 16*s.* 8*d.* *This slightly differs from the Establishment in February last, see ante, No.* 602, besides there are several other persons who were sent over to reduce the rebellion, and remain undischarged by Colonel Jeffreys, which Lord Culpeper thinks should be all paid off and discharged. 1 *p.* [*Col. Papers, Vol. XLII., No.* 91.]

June 10. St. Christopher's. **729.** Minutes of the Council of St. Christopher's. On proposal of the Governor Lieutenant-Colonel John Estridge, Captain Joseph Crispe, and Captain Christopher Jeatfreson, of the Council, and Thomas Soley, William Colhoun and Ralph Willett, of the Assembly are appointed to go forthwith to Nevis to speak with Governor

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Stapleton touching the affairs of the island. Read the Articles of Peace and Neutrality made, dated $\frac{9}{19}$ May 1678, between the English and French in the Caribbee Islands, notwithstanding war should happen between England and France in Europe. Proposed by the Governor and Captain Joseph Crispe chosen to go to Europe as hostage, and promote the amity concluded between the two nations and other affairs of this island. Ordered that the negroes at work on the fort at Cleverley Hill be dismissed until further summons.

June 26. Order of the Governor Council and Assembly to Captain Joseph Crispe read to him as their Agent and Procurator touching their addresses to be made to His Majesty in behalf of themselves, and other His Majesty's subjects in the English part of this island. The French hostage having been at the Governor's house at the desire of the Assembly, James Laty consented to entertain him at his house who was voted 800 lbs. of sugar per month for his accommodation. Major Roger Elrington to take account of all the ammunition belonging to the country on Cleverley Hill. [*Col. Papers, Vol. XXVIII., No. 69, pp.* 19, 20.]

June 11. **730.** Minutes of the Council of Barbadoes. Ordered that writs issue for calling an Assembly, the election to be on 8th July. [*Col. Entry Bk., Vol. XI., p.* 297.]

June 14. Whitehall. **731.** Journal of Lords of Trade and Plantations. Five letters received and read to His Majesty in Council from Governor Stapleton, one of 18th April, three of 26th April, and one of 2nd May (*see ante, Nos.* 665, 687–9, 697). [*Col. Entry Bk. Vol. CV., pp.* 258, 259.]

June 14. Falmouth. **732.** Minutes of the Council of Antigua. Present, Colonel James Vaughan, Governor, the whole Council and 17 of the Assembly. Ordered, that the Justices of the Peace make return to the Secretary of any recognizance taken for the King. Full power given, in obedience to an order of His Excellency of the 8th instant for the speedy coming down of the Governor to Nevis with two of the Council and the Speaker of the Assembly to confer for the good of His Majesty's service and welfare of this island, to the said Governor and Captains William Thomas and Samuel Jones to act on their behalf with the consent of Major Thomas Malet, Speaker of the Assembly. 1 *p.* [*Col. Papers, Vol. XXV., No.* 55, *p.* 761.]

June 19. Whitehall. **733.** Order of the King in Council, referring Petition of Thomas Gould, John Jeffreys, Alexander Culpeper, George Richards, Edward Carter, Henry Meese, Thomas Lane, James Tubb, Micajah Perry and Thomas Sands to the Lords of Trade and Plantations for their Report. *Annexed,*

733. 1. The Petition above referred to. Setting forth there is due to Petitioners upon several Bills of Exchange a considerable sum of money out of the public treasury in Virginia, which

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Bills were due, and accepted before the Order in Council of 13th July 1677 (*see ante, No.* 332). Pray His Majesty in Council to order the Treasurer to make speedy payment of all said Bills "A true copy, Phil. Lloyd." Rec. and Read 21st June 1678. 2 *pp.* [*Col. Papers, Vol. XLII., Nos.* 92, 92 I., *and Col. Entry Bk. Vol. LXXX., pp.* 248–251.]

June $\frac{1}{9}$. Barbadoes. **734.** Governor Atkins to Lords of Trade and Plantations. Refers to his letter of 2nd instant (*see ante, No.* 719). Sends home all the ships now in fleets as most convenient for safety which carry a number of seamen who may be useful for His Majesty's present occasions. This is the third fleet gone home this year and another preparing will be the last this year. The echo from England of the war with France makes as great a sound as in England. We are employed in fitting our militia and all things necessary. Believes D'Estrées has got home "so that cloud is vanished." Want nothing for their defence and doubts not the people will fight to preserve their interests. "Recd. 10 August 1678." 1 *p.* [*Col. Papers, Vol. XLII., No.* 93; *also Col. Entry Bk., Vol. VI., pp.* 235, 236, *and Vol. CV., p.* 267.]

June 21. Whitehall. **735.** Journal of Lords of Trade and Plantations. On reading an Order of Council of 19th June 1678, referring petition of Thomas Gold, John Jeffreys, and others for payment of several sums due to Petitioners upon Bills of Exchange out of the public Treasury in Virginia, their Lordships are of opinion that the Treasurer in whose hands the money lies should forthwith pay those Bills accepted by him, and their Lordships will advise His Majesty to revoke the Order of 13th July 1677, directing Gawen Corbin to forbear payment of said sums until further order. Their Lordships report being read in Council on 26th July, following His Majesty's, revoked said Order, and Corbin is left at liberty to give Petitioners and all others satisfaction according to right. [*Col. Entry Bk., Vol. CV., pp.* 259, 260.]

June 22. Council Chamber. **736.** Sir Robert Southwell to Gawen Corbin. In reference to the petition of Thomas Gould, John Jeffreys, and others for taking off the restraint on the Treasurers of Virginia, not to dispose of any of the public moneys; desires him to certify how much remains in his hands, and if he have any objections to the moneys being paid. [*Col. Entry Bk., Vol. LXXX., pp.* 251, 252.]

June 22. **737.** Gawen Corbin to Sir Robert Southwell. Desires His Majesty will be pleased to take off the restraint laid on the Treasurers of Virginia, forbidding the payment of Bills drawn by ordet of the Assembly, by His Majesty's Order in Council of 13th July 1677, seeing the causes for same are removed by the address of the Assembly of Virginia to the King. 1 *p.* [*Col. Papers, Vol. XLII No* 94, *and Col. Entry Bk., Vol. LXXX., p.* 253.]

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June 22. **738.** Account of the Bills of Exchange drawn by the Assembly of Virginia on Thomas Ludwell, paid to several persons by Gawen Corbin, also of Bills drawn by the Assembly of Virginia on Thomas Ludwell, which are accepted by Gawen Corbin, but not yet paid by reason of the restraint. 1 *p.* [*Col. Papers, Vol. XLII., No.* 95, *and Col. Entry Bk., Vol. LXXX., pp.* 254, 255.]

June 26. Whitehall. **739.** Order of the King in Council on Report of Lords of Trade and Plantations on Petition of Thomas Gould, John Jeffreys, and others as to the payment of Bills of Exchange drawn by the Assembly of Virginia out of the public Treasury there, revoking a previous Order and leaving Gawen Corbin at liberty to give the Petitioners and all others satisfaction according to right. *This is the order referred to in their Lordships' Journal (see ante, No.* 735). 2 *pp.* [*Col. Papers, Vol. LII., No.* 96, *and Col. Entry Bk. Vol. LXXX., pp.* 256, 258.]

June 28. **740.** Answer of William Stoughton and Peter Bulkeley to Mr. Randolph's narrative of the State of New England, especially as it concerns Massachusetts. Mr. Randolph's stay in New England was so short, his acquaintance there so partial, his prejudices so great, that he cannot be thought to attain that truth and certainty of information which ought to be in matters of such moment. Many of his statements are mere scandals and calumnies and misrepresentations. Answer: The freemen have liberty to choose or leave out whom they please as Magistrates by a law made several years since; others besides Church members can be made freemen, and several have been; each Magistrate defrays his own expenses except for passage over public ferries; the Massachusetts Government in 1652 made no other charge except taking in the plantations beyond the Piscataqua which were ruined for want of government. Mr. Randolph's statement that the laws are only observed as they stand with the Magistrate's convenience is a notorious falsehood, as the records of the administration of justice will show; it is a gross mistake to say that five years' possession gives a title to land; the number of those who are not Church members is inconsiderable, and there was never such nickname between the one and the other as that of Dissenting Party. The expenses of those in the Magistracy are far beyond their recompense, the Governor's salary being 120*l.*, and the magistrate's 35*l.* which being not paid in money will amount to little more than half so much sterling. The ancient bounds were as far as they are now stated by the Lords Chief Justices' opinion; the stating and running of the lines between Massachusetts and Plymouth and Connecticut was done to mutual satisfaction. The Massachusetts Government never concerned themselves with the giving up of Nova Scotia to the French, though they would rather have had their fellow subjects neighbours; the Indian war had its rise in New Plymouth, and had the Massachusetts stood neutral they would have had no disturbance from the Indians; the war was not provoked by the Massachusetts, who never had any quarrel with

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Philip before the war broke out, but had often interposed as mediators. The Indians have been furnished with arms by the French and others, and there was as little liberty, if not less, in Massachusetts than in other colonies to sell arms to the Indians. The Praying Indians were mostly faithful and serviceable in the war; Church members were sent to the war promiscuously with others, and of the captains and chief officers slain the greater part were Church members. Massachusetts had seven plantations utterly, and nine or ten partially, destroyed in the war, while Connecticut did not lose one town, and Plymouth only two or three villages. The Magistrates are not excused from taxes, which are payable in any pay of the country; the standing revenue of the colony has never yet amounted to 700*l.* sterling per annum, and what this comes short of defraying the Government charges (which in the whole, *communibus annis*, before the war did never rise to above 1,500*l.*, if so much) is wont to be levied by a common tax. There is a full account given every year of the income and expenditure by the Treasurer to the General Court, so that there can be no corrupt disposal; the statement of a belief that there was a great bank of money in the Treasury is utterly untrue, the country being most commonly indebted to the Treasurer and not the Treasurer to the country. The people throughout the colony generally are earnestly desirous to have the present Government continued, and there never was any ground for the insinuation of a chance of a civil war between the colonies. There are only six or seven Ruling Elders in the whole colony who assist the ministers, but are far from keeping them in subjection; Mr. Graves was not turned out of any fellowship, but voluntarily quitted his fellowship, intending other employment; it is notoriously false that any person on account of dutifulness to the King has been suffered to be ruined. The Massachusetts spent near 8,000*l.* and many lives on the defence of Maine; Mr. Winslow has declared that his answer to Mr. Randolph was that the Massachusetts had carried it fairly and neighbourly, and that he never made it his design to desire a change in the Government; as for the petition referred to, are not prepared with an answer, as they were not at the time supposed concerned in the transactions of Government, but deny that persons have been sufferers in estates or denied the privilege of choosing magistrates on the account mentioned, and the two persons named by him as the chief Petitioners have been long entrusted in considerable places of public service, and might have been elected magistrates if they had received a sufficient number of votes. *Endorsed*, "Answer to some parts of Mr. Randolph's narrative, given to me by the Agents of New England, 28 June 1678." 8 *pp.* [*Col. Papers, Vol. XLII., No.* 97.]

June 29. Nevis. **741.** Governor Stapleton to Lords of Trade and Plantations. Hopes his answer to their letter of 10th September last (*see ante, No.* 404) will be satisfactory. Offers for consideration the Articles of Agreement which he has presumed to subscribe with the Count de Blenac by virtue of the 19th Article of his instructions. Two

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gentlemen go home, Mr. De Falneau, a Frenchman, and Captain Joseph Crispe, of the Council of St. Christopher's, to solicit the ratification of the Articles. Reasons for having consented to these Articles. The ratification will be of the greatest importance to all the planters and merchants, and will much promote His Majesty's revenue; other reasons also given. Sends also the oaths. Colonel Randal Russell, the Deputy Governor of Nevis, deceased; no necessity to appoint another, as Stapleton's residence is there. Is bold to trouble their Lordships—1. For the seal which is much wanted for authorizing public Acts and confirmation of land. 2. The order for 300 malefactors for St. Christopher's; and 3. His arrears in Sir Tobias Bridge's regiment, with many incidental charges disbursed for curing wounded soldiers, burying some, and on account of arms and certain employments he names. No news of M. D'Estrées, or whether he has made any attempt upon Dutch or Spanish territory. Since writing the above, news of the loss of thirteen sail of the French fleet. *Encloses,*

741. I. Answer to the several heads of their Lordships' letter above-mentioned of 10th September 1677. 1. The Acts now in force are sent from St. Christopher's and Nevis.

2. Council of the Island of St. CHRISTOPHER'S:—

Deputy Governor Colonel Abednego Mathew.
Lieutenant-Colonel John Estridge.
Lieutenant-Colonel John Crook.
Major Roger Elrington.
Captain John Pogson.
Captain Joseph Crispe.
Captain Samuel Jeaffreson.
Colonel Francis Morton, of Nevis, having an estate in St. Christopher's.

And Assembly:—

Thomas Soley, Speaker.
Robert Cave.
William Calhoun.
Captain Robert Nesmith.
James Latty.
John Wilkins.
Charles Morris.
Richard Bespick.
George Persivall.
Ensign Zachary Rice.
Ralph Willett.

Council of the Island of NEVIS:—

Justice Walter Symonds.
Colonel Francis Morton.
Sir James Russell.
Lieutenant-Colonel Daniel Lanhather.
John Coombes.

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Lieutenant-Colonel John Smith.
Major William Burtt.
Major John Nethway.
Justice John Hughes.

And Assembly:—

Captain Charles Pym, Speaker.
Captain William Howard.
Phillip Lee.
Edward James.
Thomas Bartlett.
John Bruett.
Lieutenant John Abbott.
Ensign Joseph Janey.
Richard Cary.

Note.—That Colonel Randall Russell, Deputy Governor, is deceased, and not yet substituted.

Council of MONTSERRAT:

Deputy Governor Colonel Edm. Stapleton.
Lieutenant-Colonel John Cormack.
Captain Anthony Hodge.
Captain John Symms.
Captain William Freeman, now in England.
Major Thomas Cane.
Captain Peter Cove.
Major Daniel Gallway.

And Assembly:—

Captain John Devereux, Speaker.
William Fox.
John Ryan.
John Cormack.
Captain John Bromley.
Lieutenant William Knoweles.
Lieutenant John Dames.
Thomas Daniell.

Council of ANTIGUA:—

Colonel Phillip Warner, Deputy Governor, being removed by His Majesty's Order in Council, now is Deputy Governor one
Colonel James Vaughan, lately commissioned by me.
Lieutenant-Colonel Rowland Williams.
Lieutenant-Colonel John Mayers.
Captain Paul Lee.
Captain John Cade.
Captain Jeremy Watkins.
Captain Samuel Jones.

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Captain John Parry.
Captain Richard Ayers.

And Representatives:—

William Barnes, Speaker.
Nathaniel Munk.
Captain John Winthrop.
Samuel Maylard.
Ensign Joseph Hall.
Lieutenant Peter Willcock.
Edw. Pauly.
Lieutenant Samuel Winthrop.
Thomas Beck.
Samuel Irish.
Major Richard Burreston.
Major Thomas Mallett.
Christopher Rymer.
Lieutenant Daniel Mitchell.
Lieutenant Archibald Cockram.
William Reynolds.
John Hamilton.
John Bryan.
Lieutenant John Fry.
Captain John Vernon.

Anguilla, Statia Saba, and Tortola having but few inhabitants, there are neither Councillors nor Representatives, only the Deputy Governor of Anguilla sworn Councillor for Anguilla. 3. There are so many Orders and Acts of Council in all the islands to copy them would take twelve months the quickest pen in the country, and has nothing to satisfy any person doing it; the original books can be sent. 4. Concerning an account of warlike stores sent by His Majesty's orders since his restoration. This island (Nevis) has purchased to the value of near 130,000 lbs. of sugar this last year, for here is a great consumption of powder in compelling French men of war and their merchants to strike to the King's flag. 5. Accounts of stores of war landed from the Unity of London, Captain Arthur Hare sent from the Tower. 6. Then follows a list of the whites and blacks in the several islands. There is an order of the Governor, Council, and Assembly for a register to be kept. Has made two regiments of that which was but one, and one regiment he designs for Antigua. Saba and Statia, each about eight miles in length and four miles in breadth. Anguilla about 20 miles long and seven wide. List of the names of all able men bearing arms, together with the number of women and children, as well whites as black, specifying whether English, Irish, or French taken 28th January 1678. In ST. CHRISTOPHER'S, in the following parishes, viz., St. John Capistar, St. Anne, Sandy

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Point, St. Mary Cayonne Division, Halfwaytree Division, St. Thomas, Middle Island, Trinity Palmeto Point, Christ Church, Nicola Town. Total number in the seven parishes or divisions—white men 695, women 539, children 663, negroes 1,436 men, women, and children, the Irish being 187, French 369, Dutch 11. In NEVIS ISLAND.—List of the names of Colonel Randall Russell's company or division, men, women, and children, whites and blacks; also of the companies or divisions of Lieutenant-Colonel Morton, of Major Daniel Lanhather, Captain John Hughes, Captain William Burt, Captain Edward Bridgewater, Captain William Howard, Captain Edward Earle, Captain John Smith, Captain Robert Hammond, Captain Thomas Butler, Captain Robert Choppin, and Captain John Nethway. Total number of whites, men, women, and children, 3,521, of which 800 are Irish and 51 Scotch, and 3,849 negroes. In MONTSERRAT.—List of the names of men, women, and children, whites and blacks, in the several divisions of the island, viz., in the divisions of Lieutenant-Colonel Cormack, Major Galloway, Captain Richard Basse, Captain Nicholas Mead, Captain Peter Cove, and Captain Andrew Booth, Within the Cove and Palmeto Point Division, St. Peter's Parish, the Northward Division, and Captain John Devereux's division. Total number of whites, men, women, and children, 2,682, of which 1,869 are Irish and 52 Scotch, and 992 negroes. In ANTIGUA.—List of men, women, and children, whites and blacks, in the several divisions of the island, viz., Falmouth, Southside Nonsuch Division, Northside Nonsuch Division, Belfast Division, Old and New North Sound Divisions, Pope's Head Division, Dixon's Bay Division, St. John's Division, Carlisle Road Division. Total number of whites, men, women, and children, 2,308, including 610 Irish and 98 Scotch, and 2,172 negroes. In STATIA there are about 69 whites and 100 negroes. In SABA 90 whites. In TORTOLA 15, and in ANGUILLA 550 whites. Total number of persons, 19,692.

Since writing the foregoing lists Governor Stapleton has divided the Nevis regiment into two companies, and the Antigua regiment into two companies. Names of all the 89 officers. 97 *pp.*

741. II. Minutes of the Governor, Council, and Assembly of St. Christopher's between February 1676 and February 1678 in reference to fortifications and provisions and the security of the island from invasion. Names of those elected to the Assembly April 1676 and April 1677. Orders prohibiting the slaves to travel on the Sabbath. "Rec. from Col. Stapleton 27 Aug. 1678." 12 *pp.*

741. III. Oath of Colonel William Stapleton, Governor of the Leeward Islands, for the due execution of the Acts of Trade and Navigation. 1678, June 18.

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741. IV. Similar oath of Colonel Edmond Stapleton, Deputy Governor of Montserrat. 1678, June 18.

741. V. Similar oath of Colonel Abednego Mathew, Deputy Governor of St. Christopher's. 1678, June 18.

741. VI. Similar oath of Colonel James Vaughan, Deputy Governor of Antigua. 1678, June 22.

741. VII. Colonel James Vaughan, Deputy Governor, and William Barnes, Speaker of Antigua, to Governor Stapleton. Report on the case of Mrs. Joan Hall, formerly Mrs. Keynell, concerning her plantation called Betty's Hope. Finds that those divested were persons that had more lands than they managed or were ever like to manage, and were contented at that time with their several proportions remaining, and those very lands lay so convenient for new settlers that, had it not been so ordered, it had been great prejudice to the island, Antigua. 1678, June 8.

741. VIII. Governor Stapleton to [Sir Robert Southwell]. Has entered into articles for the continuance of amity and good correspondence with the French General the Count de Blenac. Begs his assistance for His Majesty's ratification. The bearer, Colonel Morton, of the Council of Nevis, goes home for his health and other occasions; asks for kindness to be shown to him. To put their Lordships in mind of the 300 malefactors for St. Christopher's, and of the seal also, which is long in hand and much wanting. As to the balance due from Mr. Barnes. Nevis, 1678, June 29.

741. IX. Articles of neutrality between the English and French in the Leeward Islands. St. Christopher's, 1678, May $\frac{9}{19}$. Signed by Abed. Mathew and the Chevalier St. Sanresis. Also ratified by Governor Stapleton at Nevis, 12th May 1678, with his signature and seal, and by the Count De Blenac at Martinique, 2nd June (23rd May O.S.) 1678, with his signature and seal. 8 *pp.*

741. X., XI. Copy of the preceding, and a copy in French.

741. XII. Petition of the Assembly of St Christopher's to Governor Stapleton. Praying for a continuation of a peace between the English and French at St. Christopher's. With twelve signatures. 1678, April 16.

741. XIII. Similar petition to the preceding from the Assembly of Nevis. Signed by Charles Pym, Speaker, and seven others. 1678, April 16.

741. XIV. Governor Stapleton to Lords of Trade and Plantations. Sends annexed account of the ships lost of Count D'Estrée's squadron upon the Isle of Aves, ten leagues from Curaçao.

741. XV. The list of the ships lost on 11th and 13th May 1678. Ten French men-of-war, with 490 guns, three Spanish capers, with 36 guns and about 500 men. Also list "of those remaining."

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741. XVI. List of Ships that have laden plantation commodities in Nevis from 29th September 1677 to 16th May 1678. Total number of ships 65, of 2,078 tons burthen, with 68 guns, with 1,730 tons of sugar, besides tobacco, indigo, and cotton.

741. XVII. Letter of attorney and procuration given by the Governor, Council, and Assembly of St. Christopher's to Joseph Crispe, sent to obtain a ratification of the Treaty of Neutrality. 1678, June 25. [*Col. Papers, Vol. XLII., Nos.* 98 I–XVII.; *also Col. Entry Bks., Vol. XLVI., pp.* 314–320, *and Vol. CV., pp.* 266, 267.]

June 29. **742.** Abstract of the most remarkable articles contained in the several concords of St. Christopher's which are to be confirmed by the Treaty of Neutrality with the French in the West Indies. *Also* Observations upon the demands made by Sir William Stapleton to the French General in the Leeward Islands. *Two papers.* 4 *pp.* [*Col. Papers, Vol. XLII., Nos.* 99, 100.]

June 29. Virginia. **743.** Cockacœwe, Queen of Pamunkey, to Colonel Francis Moryson. Finds by experience the great King of England to be her very good friend. Shall make it her business to possess her neighbour Indians and others to be of the same mind and affection to His Majesty as herself, and hopes her example will be a pattern to all those who are concerned in these late Articles of Peace, never to be violated. If any insurrection arise, it shall be contrary to the knowledge of the Queen, who shall endeavour to put a period to the least of differences. Has vowed perpetual fidelity to His Majesty. Confesses her fault in running away. Yet, His Majesty having pardoned it, thinks all others ought to blot it out of their remembrance. Is discontented in several things, her grievances given in to the Government and Council are deferred to the next Assembly. Is very much dissatisfied with the Rappahannocks, but especially about the Chickahomineys, who are very disobedient to her command for what she bids them do in behalf of the English; they are a deceitful people. Her son presents his humble service to the great King of England. "This is the interpretation of the Queen of Pamunkey with her mark, attested by me, Cornelius Dabney." 1 *p.* [*Col. Papers, Vol. XLII., No.* 101.]

June 29. Virginia. **744.** Cornelius Dabney, Interpreter to the Queen of Pamunkey, to Colonel Francis Moryson, London. That the Indians in peace with the English are in fear of the foreign Indians that lately attempted against the English, which were none of those included in the late peace. It is reported Lord Culpeper will be in at the fall, when his advice is much desired by the Queen and himself. Fears it will be hard to procure an elk; the Senecas having put our Indians into a fear, they dare not go so high to hunt. His wife sends her service. 1 *p.* [*Col. Papers, Vol. XLII., No.* 102.]

July 1. Whitehall. **745.** Warrant to the Lord Chancellor. To apply the Great Seal to a Commission, bearing this date, empowering Lieutenant-Colonel

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William Stapleton, Captain-General and Governor-in-Chief of St. Christopher's, Nevis, Montserrat, and all other the Caribbee Islands lying to Leeward, from Guadaloupe to Porto Rico, to conclude with the French Governor in St. Christopher's a peace and neutrality to be observed in the islands within Sir William Stapleton's jurisdiction, and those belonging to the most Christian King, though things should come to a rupture in Europe between the two crowns. 1 *p.* [*Dom. Entry Bk., Chas. II., Vol. LI., p.* 29.]

July 1. James City, Virginia. **746.** [William Sherwood] to [Secretary Sir Joseph Williamson]. Has given account of his severe usage since his last arrival, occasioned by his preferring the country's grievances to the King's Commissioners when here. Because of their good Governor's sickness His Majesty's commands are slighted and contemned by the Green Spring faction, who still endeavour to continue their old exactions and abuses. The bearer, Colonel Rowland Place, one of the Council here, can give an ample account of matters. 1 *p.* [*Col. Papers, Vol. XLII., No.* 103.]

July 2. **747.** Answers of William Stoughton and Peter Bulkeley to the Inquiries delivered to them by order of the Lords of Trade and Plantations. Information about the Government, courts of judicature, trade and general condition of Massachusetts. The commodities of the country are furs, whale oil, masts, sent to England, fish and slaves for Spain and other foreign ports, beef, pork, fish, bread, flour, peas, horses, deal boards, timber, &c., for the other plantations. The commodities yearly imported are English goods, and other the commodities of Europe, as salt, oil, wines, fruits, spice, iron, and from the other plantations sugar, cotton, wool, &c. Materials for shipping such as masts are to be had and timber for building, and tar. Estates of the planters are mean; of merchants there are not above 12 or 14 whose estates reach to 5,000*l.*, and not half of these that come to 10,000*l.* The chief obstructions on trade which they desire to have removed are (1) the paying duties twice over when they export goods from the plantations, namely, once in New England, and again in England; (2) being obliged, if in Europe they take in any goods besides salt, to go to England and pay duties on them there. There are no duties on goods exported, but goods imported pay 1*d.* in the pound, except salt, wool, fish, &c., which pay nothing. There are higher duties on wine and spirits, reaching from 2*s.* 6*d.* a hogshead to 10*s.* a pipe; each vessel that arrives has to pay a small duty towards the maintenance of fortifications. In religion there is a full agreement with the Articles of the Church of England, but the practice is congregational: some few Presbyterians, some Anabaptists and Quakers there are, but not in considerable number. Care is taken by law for schools in every town, and select persons are appointed to see that children and servants be taught to read, and to be instructed in religion. There are 40 churches, each supplied with one or more able ministers, and a sufficient number of scholars are

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educated for the supply of all the colonies. Each town is enjoined by law to raise a competent maintenance for their ministers, which is done sometimes by a voluntary public contribution, sometimes by a common tax. The poor of each town are provided for by each town, there are no beggars or idle vagabonds. "Recd. 2 July 1678." 6 *pp.* [*Col. Papers, Vol. XLII., No.* 104, *and Col. Entry Bk., Vol LX., pp.* 284–295.]

July 3. **748.** Petition of Richard Smith to the King. Has been for many years lawfully seised of a small island in Narragansett Bay, anciently called Chissawanock, now Hog Island, lying within the New Plymouth jurisdiction. The Rhode Island Government, consisting chiefly of Quakers and other sectaries, pretend this island to be within their jurisdiction, and for that he will not submit to their usurpation have committed many outrages on him, despoiling him of his goods and chattels. Prays that letters be sent to the Connecticut and New Plymouth Magistrates for appointing a commission, one of each colony, for determining these complaints, and that the Rhode Island Government be commanded to submit to such determination. *Underwritten*, "Read 3 July 1678." 1 *p.* [*Col. Papers, Vol. XLII., No.* 105.]

July 3. **749.** Order of the King in Council. Referring annexed Petition to the Lords of Trade and Plantations for their report on what they judge most fit to be done for redressing the inconveniences complained of. *Annexed,*

749. I. Petition of Richard Smith in behalf of himself, John Winthrop, Esq., Josiah Winslow, William Harris, John Viall, and others to the King. Are inhabitants of the Narragansett country, where their ancestors settled 40 years since, in 13 Charles II., on the petition of John Winthrop, John Mason, Samuel Willis, and others, the said inhabitants were incorporated as the Governor and Company of Connecticut, granting them the land in New England, bounded on the East by Narragansett Bay, with the adjoining Island; in 15 Charles II. John Clark, on behalf of Benjamin Arnold, William Brenton, and others, procured an incorporation grant by the name of the Governor and Company of Rhode Island, and the rest of the Colony of Providence Plantations, including the lands formerly granted to Connecticut. The Petitioners, finding many inconveniences arising daily by reason of a Government usurped by Rhode Island imposing other laws and forms of government, seven years ago sent by Richard Smith a petition from the principal inhabitants of the Narrangansett country, praying relief from the Rhode Island Government, but, the wars with Holland intervening, were referred to a more convenient time, so that they are without any settled Government. Had sent in the late Indian war to Rhode Island for protection, which was absolutely denied them, the

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Governor being a Quaker and thinking it perhaps not lawful either to give commission or take up arms, so that their towns, goods, corn, and cattle was by the "salvage" nations burnt and totally destroyed. Pray that letters be sent to Rhode Island requiring them to forbear to exercise authority over the Narragansett country, and that the inhabitants of this country, with the islands Qouaniquett, Hope, Patience, and Dutch Island, be restored to the Connecticut jurisdiction. *Endorsed*, "Rec. and read, 3rd of July 1678." *Signed copy of same.* "Read 29 July 1678." *Together, three papers.* [*Col. Papers, Vol. XLII., Nos.* 106 I.]

July 4. Whitehall. **750.** Secretary Sir H. Coventry to Lieutenant-Colonel Stapleton, Governor of the Leeward Islands. Has lately received his letters of 18th April and 2nd May (*see ante, Nos.* 665, 697), and acquainted His Majesty with their contents. He will receive a commission under the Great Seal, with full power to treat and conclude a peace, and he must look carefully that the French powers be every way sufficient as his, to avoid cavils and the danger of playing fast and loose. His Majesty approves his proceedings, and he may rest secure of his Royal favour. To continue his watchfulness and stand upon his guard. [*Col. Entry Bk., Vol. XCV., p.* 280.]

July 6. **751.** Deposition of Paul Williams. In reference to what Colonel Edward Hill said concerning His Majesty's letter if any should come in favour of Captain Bird, "who was a prisoner of Bacon's, and carried about with him when Colonel Warner was plundered, for which they have awarded a thousand pound for Bird to pay, tho' after His Majesty's pardon." Certified copy by Governor Jeffreys. *Endorsed by Colonel Moryson*, "Read 14 Dec. 1678." *Two copies.* [*Col. Papers, Vol. XLII., Nos.* 107, 108.]

July. **752.** Petition of Sarah, widow of William Drummond, to Governor Jeffreys and the Council of Virginia. Sets forth the seizure of her estate by Sir William Berkeley, her petition to His Majesty for relief, and the order thereon, and that she has summoned Dame Frances Berkeley to this Honourable Court, according to His Majesty's command. Prays to be restored to the possession of her estate. *Also*, Account of goods carried to the Green Spring, March 1677, amounting to 144*l.* 10*s.* *Certified copy by Hen. Hartwell, Cl. Con.* 2 *pp.* [*Col. Papers, Vol. XLII., No.* 109., *and Col. Entry Bk., Vol. LXXXI., pp.* 523–526.]

July. **753.** Petition of Sarah, widow of William Drummond, to Governor Jeffreys and the Council of Virginia. Setting forth the forcible entry of some twenty persons with swords and guns into Petitioner's plantation, by order of Lady Frances Berkeley, and the carrying away of certain Indian corn, and that Petitioner has commenced her action against said Lady Berkeley in this Court,

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Prays such damages as the Governor or an able jury shall award, with costs. *Certified copy by Hen. Hartwell, Cl. Con.* 2 *pp.* [*Col. Papers, Vol. XLII., No.* 110, *and Col. Entry Bk., Vol. LXXXI., pp.* 527–530.]

July 8. Virginia. **754.** Sarah Drummond to Colonel Francis Moryson. In justice to what he has done for the lives, liberties, and estates of the King's subjects in Virginia, gives him a narrative of her success here in his business, and the bad reflections upon himself and Sir John Berry concerning same; and how His Majesty's letter about her business was received by the Council, the Governor being sick and absent. 3 *pp.* [*Col. Papers, Vol. XLII., No.* 111, *and Col. Entry Bk. Vol. LXXXI., pp.* 533–542.]

July 9. Whitehall. **755.** Order of the King in Council. That copy of the Memorial of the Ambassador of the States General of the United Provinces, concerning the ship Asia belonging to the Dutch West India Company, seized by Captain Watson of Phœnix, and carried to Barbadoes, be sent to Governor Atkins for his answer why said ship and goods were not restored according to the sentence of the High Court of Admiralty. [*Col. Entry Bk., Vol. VI., p.* 234.]

July 9. **756.** Minutes of the Council of Barbadoes. Present: Sir Jonathan Atkins, Governor, Henry Drax, Henry Walrond, Samuel Farmer, John Sparkes, Samuel Newton, Thomas Wardall, John Peers, Simon Lambert, John Stanfast, and John Witham. The Members of the Assembly elected by virtue of the new writs presented, viz.:—

St. Thomas, Lieutenant-Colonel James Carter and John Davis, returned by Samuel Farmer.

St. Phillips, Richard Pocock and John Beeke, returned by John Witham.

St. John's, Colonel Christopher Codrington and Colonel Thomas Colleton, returned by Henry Walrond.

St. George's, Rowland Bulkley and Samuel Husband, returned by Henry Drax.

Christchurch, Richard Seawell and Major Richard Williams, returned by Samuel Newton.

St. James', Edward Littleton and James Walwyn, returned by John Stanfast.

St. Andrews, Captain John Gibbs and Captain John Merrick, returned by John Sparkes.

St. Michael's, Colonel William Bate and Colonel Richard Guy, returned by Colonel Bate.

St. Joseph's, Colonel William Sharpe and Edward Binney, returned by Thomas Wardall.

St. Lucy's, John Maddock and Captain Thomas Dowden, returned by Simon Lambert.

St. Peter's, Alexander Ruddock and Major John Steart, returned by said Ruddock.

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The Assembly presented Colonel Christopher Codrington for their Speaker, to whom his Excellency desired that the Excise Act might be revived and continued. *Col. Entry Bk., Vol. XI., pp.* 298, 299.]

July 9. **757.** Journal of Assembly of Barbadoes. Return of the names according to election for the several parishes (*see previous Abstract*). The Assembly being met at the house of Paul Gwynn in St. Michael's Town, proceeded to elect a Speaker, and Colonel Christopher Codrington was chosen, and presented to the Governor and Council, John Higinbotham chosen Clerk, and John Forbes, Marshal. The oath taken by the Clerk.

July 10. The House met at the Roebuck in St. Michael's Town. Orders and Rules for governing the Assembly in their votes, debates, and other proceedings for the honour of the House. An Act to revise the Act of Excise passed. The oath administered to John Forbes, Marshal. [*Col. Entry Bk., Vol. XIII., pp.* 314–319.]

July 10. Virginia. **758.** Governor Herbert Jeffreys to Colonel Francis Moryson. Wrote him a full account of all affairs last week by Captain Jeffreys of the Golden Fortune, and now refers him to the bearer, Colonel Place, an eye witness of many of the particulars. Desires he will inform himself of what he long since prophesied, what a sad and hard game Jeffreys had, and has still to play, besides the misery of sickness he has undergone, and is not quite rid of. 1 *p.* [*Col. Papers, Vol. XLII., No.* 112.]

July 15. Whitehall. **759.** The King to the Earl of Carlisle, Governor of Jamaica. Expected by this time to have been able to have made a more certain judgment of the event of things, but some new difficulties have since arisen which hinder us from seeing clearly which way things may turn, or how they will settle. His Majesty has thought fit to signify his pleasure that Lord Carlisle continue his watchfulness and stand upon his guard as recommended when he was here. [*Col. Entry Bk., Vol. XCV., p.* 281.]

July 15. Whitehall. **760.** The King to Sir Jonathan Atkins, Governor of Barbadoes. To the same effect as the preceding. To continue his watchfulness and stand upon his guard as formerly. [*Col. Entry Bk., Vol. XCV., p.* 282.]

July 19. Port Royal. **761.** Minutes of Council of Jamaica. Present: Governor the Earl of Carlisle, Lieutenant-General Sir Henry Morgan and eight others. The oaths taken by the Governor and the Council.

July 20. Rowland Powell producing his deputation from Mr. Harris took the oath of Secretary and Clerk of the Enrolments; William Barber, deputy of Mr. Dereham, took the oath of Clerk of the Patents and Registrar and Clerk of the Chancery. The Governor acquainted the Council he had brought over divers laws engrossed in parchment under the Great Seal of England. Here follow the

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titles. Ordered that Writs be forthwith issued for an Assembly to meet on 2nd September. [*Col. Entry Bks., Vol. XXXV., pp.* 660–662.]

July 25. St. John's (Antigua).

762. Minutes of the Council of Antigua. Present: the whole Council and Assembly. Ordered, that two of the Council and two of the Assembly examine and return whether the Records be sufficiently kept in order; That an Act be made for payment of the powder and ball sent for, repairing churches, forts, and prisons, a house to secure ammunition and the records, and for the charges arising by the Treaty of Peace; That 250,000 lbs. of sugar or tobacco be raised for the above charges, and that an exact account be taken of all polls dutiable, both whites and blacks, and of the number of acres taken up and returned by the chief officers of every division; That a Committee of the Council and Assembly view the records in the Register Office for information of all lands given out, and make return before 10th September next; that Commissioners be appointed out of the Council and Assembly to audit the Treasury accounts for the past year, and call the collectors to account. 1 *p.* [*Col. Papers, Vol. XXV., No.* 55, *p.* 762.]

July 23. St. Christopher's.

763. Minutes of the Council of St. Christopher's. Letter lately received by the Governor from Governor Stapleton to go forward with the fort on Cleverley Hill. Debate concerning the 500*l.* sterling given by His Majesty out of the Exchequer for the use of said fort, but bills having come over for only 400*l.* to be paid in commodities and pieces of eight at great rates, agreed that they do not make use of any part of said money except they have the whole; and for the gunpowder and medicaments received from Nevis they are willing to pay in sugar on demand, Governor Stapleton to be thus advised and requested to return said bills to Captain William Freeman, or order Captain Crispe to receive them in London. Ordered that Cleverley Hill fort go forward after the bad time of the year is over; details of the work to be done; any slave neglecting to work in his turn his master or mistress to pay a fine of 500 lbs. of sugar. Ordered that 80 lbs. of sugar a day to be allowed for the use of a cart with four able cattle and two carters for carrying stores to said fort. Articles of Peace between the English and French in St. Christopher's, consisting of eleven articles signed by Abed. Matthew, Governor, John Estridge, John Cooke, Roger Elrington, and Joseph Crispe. Also by Le Chevalier de St. Laurens and five others, and by Bigott, interpreter. Credentials of Governor Stapleton to Colonel Abednego Matthew, Governor of St. Christopher's, to conclude a Treaty of Peace with the Chevalier de St. Laurens. Nevis, 1678, April 23. Also similar credentials from the Earl of Blenac, Governor of the French islands in America, to the Chevalier de St. Laurens, to conclude a Treaty of Peace. St. Christopher's, 1678, May 2. With the ratification of said Articles of Peace by Governor Stapleton and Governor the Earl of Blenac. [*Col. Papers, Vol. XXVIII., No.* 69, *pp.* 21–26.]

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July 26. Whitehall.

764. Order of the Privy Council on Petition of Robert Morris, Nicholas Prynn and John Consett for repayment of certain disbursements incurred in His Majesty's service and something of His Royal Bounty, referring same to Lords of Trade and Plantations for their Report. *Annexed,*

764. I. Petition of Robert Morris Commander of the Young Prince, Nicholas Prynn, Commander of the Richard and Elizabeth, and John Consett, Commander of the Mary, to the King and Privy Council. That they were commissioned by Governor Berkeley for reducing Virginia to its due obedience to which they wholly applied themselves, their ships, and their whole strength, and with submission, conceive themselves to have been no small instruments in suppressing that rebellion. Petitioners have hitherto received no manner of reward or even payment of their extraordinary expences. Prays for an order for their unavoidable disbursements, and for His Majesty's Royal Bounty in consideration of their services. The Journal or Log of the Young Prince is abstracted in the previous volume of this Calendar No. 1035. [*Col. Papers, Vol. XLII., Nos.* 113, 113 I.]

July 28. Whitehall.

765. The King to Herbert Jeffreys, Lieutenant Governor, and the Council of Virginia. John Bland has represented that he has spent a large part of his estate in settling several plantations in Virginia which were entrusted to two of his brothers, who having died there he sent over his son Giles Bland as his agent, but he suffered death there, and divers persons under several pretences have possessed themselves of the slaves, cattle and other goods belonging to said John Bland, who being under great weakness is necessitated to send his wife to Virginia to recover his estate. Recommends Bland's wife to him that he administer unto her speedy and impartial justice. [*Col. Entry Bk., Vol. CIX., p.* 130.]

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766. Reply of William Stoughton and Peter Bulkeley to the complaint of Randall Holden and John Greene. The matters with which the complaint began happened about 35 years ago; were not of age to acquaint themselves with those proceedings and can give no particular account; believe that the complainants may be traced in the colonies where they have dwelt from place to place as the authors and fomenters of trouble and disquiet; Samuel Gorton (the chief among them while he lived) was first expelled from New Plymouth, thence removing to Rhode Island was publicly whipped for his seditious carriage and affronting of authority; thereupon he and Randall Holden were made to quit that island, and went to Providence then under no settled government, but what was by combination, where though they could not obtain the consent of the better part to be entertained as dwellers, yet for some time forcing an abode on them they soon broke the peace of that place also, which forced those of Providence to petition the help of Massachusetts. The original ground of difference between them and the

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Massachusetts was not anything of religion, but of a more civil nature, for these men leaving Providence went to a place adjacent (now called Warwick), and by a pretended purchase from an usurping Narragansett Sachem forced themselves into the possessions of two other Sachems, the rightful lords, who having submitted themselves before to the Massachusetts Government craved their interposition. The Massachusetts endeavouring to issue the matter with the complainants in a just way of procedure, were entertained with the most opprobrious messages and affronts; the complainants have little reason to entitle their sufferings to their not relinquishing the sound doctrine and Christian principles taught them in their minority by the Church of England, as will appear on perusal of their letters sent to the Massachusetts and the writings of that grand heresiarch, Samuel Gorton, full of most absurd opinions, notorious heterodoxies and some things bordering on blasphemy, so that his book was called in by a Committee of Parliament. The proceedings of the Massachusetts against them were, by the consent and advice of the other colonies who took themselves jointly and equally concerned therein, for the security of the whole, inasmuch as the Civil War in England prevented an appeal to the King for a more regular decision. About 1644 the complainants came into England and made their address, not to the King, but to the Parliament and their Committee of Lords and Commons for Foreign Plantations, nor did their loyalty in the least hinder them from seeking and receiving a constitution of government from the powers then in being, in which loyalty doubtless they still held when afterwards, Randall Holden being on the Bench, one John Gold was fined 3*l.* for drinking an health to his present Majesty, and also when these men of Warwick did with the joy of bonfires voluntarily proclaim Richard Cromwell Protector. Answer, as to the withdrawing of the colonies' forces from their towns in the Indian War, that the Rhode Island Government would never yield any joint assistance against the common enemy nor even within their own bounds, on the main, nor garrison their own towns of Warwick and Providence, so that if on the necessary withdrawing of the forces to pursue the routed enemy up into the wilderness they suffered damage, the blame must be on their own Government. As for their last complaint in the matter of William Harris, the judgment given and the whole powers in pursuance of the King's commands to the colonies was since the respondent came over, yet they and all others knew that the two gentlemen deputed by Massachusetts to be judges were of known moderation and indifferency, not at all concerned in the controversy, and such doubtless the rest deputed from the other colonies will appear to have been and not professed mortal enemies as is most slanderously and unchristianly represented. *Endorsed* "Rec. 30 July 1678." *Signed.* 3 *pp.* [*Col. Papers Vol. XLII., No.* 114.]

July 30. **767.** Reply of Randall Holden and John Greene, Deputies for Warwick, to the Answer of William Stoughton and Peter Bulkley, Agents for the Massachusetts. Had lately presented to the King

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an account of the many hardships put upon them and others of Warwick by the Massachusetts Government, to invalidate the sentence given against them by the Deputies of the Massachusetts and to show the incompetency for any of that Government to be judges in their concerns, they having been from their infancy the professed enemies of Rhode Island and having by all means sought its ruin. A copy of the complaint was ordered by the King to be delivered to the Massachusetts agents to make answer thereto, who only recriminated with false and slanderous accusations, which they delivered for truth without alleging anything of their own knowledge or offering testimony of any witness. Whereas they represented the Petitioners along with Samuel Gorton as vagabonds and fomenters of disquiet, it appeared, by their own confession, that the Massachusetts along with the Plymouth and Connecticut Governments were the prosecutors (*sic*) of the Petitioners and other loyal persons who could not submit to their new-fangled inventions and rigid discipline and only sought to enjoy the liberty which the late King had granted them, with quiet possession of their lands which they had improved without the bounds of the Massachusetts grant. If the ground of controversy be granted to be Massachusetts laying claim to their plantation under pretence of two petty Sachems' submission (whom the Massachusetts supported in their disloyalty to the Narragansett Sachems), they ought to show by what authority they had passed the bounds of their jurisdiction and acted barbarously in arming the Indians and in joining with them to destroy the Rhode Island people, as is set forth in the Petitioners' printed book in 1644. Which proceedings show the Massachusetts Government not to be competent judges of their right or in the pretences of William Harris. Matter of wonder that these agents complain against one Gorton as a grand heresiarch, when none have been so great heretics and schismatics as themselves, it being notoriously known that Samuel Maverick (since one of His Majesty's New England Commissioners), Dr. Child, John Smith, Foreless and others, inhabitants of Boston and other towns in the colony, on petitioning the General Court for the liberty of the Church of England in baptizing of their children, were imprisoned and proceeded against, so that it was the common report that they would lose their lives, but, after much hardship, were released on the payment of a fine of 100*l.* apiece. As for Gorton's book which, they say, was called in by a Committee of the then Parliament in the rebellion, it can receive no blemish by disallowance of that authority. And as the agents dispute loyalty with the Petitioners, charging them with making their address in 1644 not to the King but to the Parliament, reply that the appeal was made to the King from the Massachusetts Court, but denied by them saying the King had his hands full at home, and on their going to England owing to the unnatural war could not come near the King, and being a poor yet loyal people, oppressed by potent and ill neighbours and reduced to the greatest extremity for livelihood, were necessitated to seek relief where only it could be had, so far as to return home, leaving the matter of damage for a

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fitter season. As testimony of their loyalty did by a treaty with the Narragansett Sachems—the chief of all New England—bring them to acknowledge the King and his successors as the supreme lords of that country; took the Act of Submission with them to England, but, not being able to see the King, published it in their printed book in 1644, and afterwards in 1665 gave it to the King's Commissioners. Challenge the Massachusetts agents to show if at any time they had brought any of the Sachems to obedience to the King; on the contrary they had forced them to submit to their State without any relation to the King. Dare them to instance one act of duty or loyalty towards the King or his father since the establishment of the colony or one act of justice done by them against one of their own members. The King had been publicly proclaimed at Rhode Island, as soon as the Restoration was made known to them, with demonstrations of duty, love and loyalty by bonfires, feasting and rejoicing. The King's Commissioners in 1665 and the King's letter in 1666 commend their loyalty and the contrary of the Massachusetts, copies of which letters are annexed. As for the fining of John Gold by their colony for drinking the King's health before his return and that the present Complainant Randal Holden sat then on the bench, it is absolutely denied as false and scandalous, nor have they ever heard of any person that was fined in their colony for expressions of loyalty, although the Massachusetts, by a formal law, made it highly punishable to drink that health as any other. In answer to the recriminations of the Massachusetts agents, give a few instances of the deportment of the Massachusetts Government since the Restoration. In 1662 the King appointing Captain Thomas Breedon Governor of Nova Scotia and Acadie, with power to expel the French there and to raise men in New England for that purpose. Captain Breedon coming to Boston and showing the commission was told by the Government that the King had no authority over them to grant such a commission within their jurisdiction; yet the same Government had readily obeyed the like commission sent by that usurper Cromwell under the command of one Sedgewick. The King's Commissioners in 1665 were not only not permitted to act in their colony, but also in the Northern Provinces without their patent, and the inhabitants forbidden to obey the Commissioners, and the Commissioners themselves in a scornful manner were trumpeted out of Boston. In 1666 several eminent gentlemen, for petitioning the Court to obey the King's commands, were threatened with severe punishment and called factious persons, and made incapable of any office in Government. As to the charge that Rhode Island lent the other colonies no assistance in the late Indian war, answer that Rhode Island and Providence did at the request of the other colonies assist them with several sloops well manned, when the war began in Plymouth colony, to the utmost of their power and great damage of the enemy. But, as for the war against the Narragansett Indians, who are the King's subjects and have always been friendly to them, the other colonies did not treat with Rhode Island and Providence as to the lawfulness

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or necessity of that war, but proceeded, notwithstanding the King's commands in his Letters Patent which forbade any of the Colonies to attack the natives without the knowledge of the others. It will appear on examination that the Massachusetts Government have been the occasion of all those miseries that befell New England in the late war by their barbarous usage of the poor Indians that border on them or live within their jurisdiction, which caused them to fly to arms to right themselves. Humbly submit that the loss sustained by Rhode Island in that war ought to be made good by Massachusetts, instead of the latter challenging and demanding the King's Province and their lands as their right of conquest. As a further proof of their loyalty beseech their Lordships to move the King to erect a Supreme Court of Judicature over all the colonies in New England to decide the long disputes about boundaries and relieve the King's subjects from the oppressions of an insulting and tyrannical Government. Pray for the renewal of the Royal Letters of 10 April 1666; that no alteration be made as to the bounds settled by the Commissioners in 1665 till all parties shall have been heard; that Connecticut be ordered to restore the town of Westerly which they had taken by force; that all sentences and judgments given by the Massachusetts and others against the inhabitants of Warwick be declared void, particularly the sentence of banishment against the Petitioner, Randal Holden, done in 1643, copy of which is annexed. Humbly beg to be suddenly dismissed home with this mark of the King's favour, to return to their desolate families, friends and plantations ruined and laid waste by the late cruel war, and now raising themselves out of the ashes. *Signed* "Randal Howlden" and "John Greene." 7 *pp. Col. Papers, Vol. XLII., No.* 115.

July 30. **768.** Journal of Lords of Trade and Plantations. On receipt of the reference of 17th July on petition of Randall Holden and John Green in behalf of the town of Warwick in New England, complaining of the violence of the Massachusetts, and the unjust proceedings of the Commissioners in awarding to William Harris, of Patuxes, lands belonging to the Petitioners, and on His Majesty having ordered the part referring to the Massachusetts to be delivered to the agents to return answer thereto, the Committee order a copy of the agents' answer to be delivered to the men of Warwick (together with a copy of the petition of Richard Smith and others referred by order of the same date concerning the jurisdiction of the Narragansett country) to reply to the objections. Many of their Lordships do from these dissensions infer the great necessity for some General Governor or Supreme Authority over the colonies. Their Lordships, being moved at the desire of the agents of Boston for leave to go home, and the debate of that matter being entered into, Sir R. Southwell gives an account of his report of the whole matter from the root, which, when ready, will enable their Lordships to take final resolutions on the whole affair. Minutes of 8th April and the points intimated to the agents so long since argued over, which confirm many of their Lordships in

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their opinions of the necessity of a General Governor. The agents, being called in and demanded what answer they had received from their principals in the points intimated to them on the 27th July and 2nd August 1677, replied that the General Court though just rising when their letters were received in October, yet enforced the Navigation Act; that it had since met in May for the election of officers, but there is no full account of what they did, the small-pox having then very much interrupted their meeting. They further said that they always expected to know the full mind of His Majesty in all points to be finally signified unto them by their Lordships. Being asked if they had powers to sue for a new charter, the old one by the report of the Attorney and Solicitor-General by many transgressions and forfeitures having become void, and that standing so much in need of His Majesty's clemency they ought to be very solicitous for pardon and privileges, they answer that they had not hitherto been acquainted that their charter was declared void, and though they had besides coining money exercised jurisdiction on Mr. Gorge's country, they never put anyone to death, and till the Judges determined otherwise, thought they had liberty so to do. Their Lordships tell them they do not declare their charter void, but only intimate to them the condition they are in, that they might pray of His Majesty what their cause required, as one of their Lordships said they had, upon kissing His Majesty's hand, promised to submit to him in all things. As to their desiring to go home or be justified in their stay, they are told that if they prepare a petition to that effect to His Majesty in Council, it will be intimated to them that their stay would be convenient to them even for their own interest. Sir R. Southwell ordered to make haste with his report, to state therein not only the mismanagement but the management without powers, the whole fact from the beginning, and to collect what their Lordships had at any time proposed for the final regulation of the matter. [*Col. Entry Bk., Vol. CV., pp.* 261–264.]

July 30. Whitehall. **769.** Journal of Lords of Trade and Plantations. William Blathwayt presents an article of disbursement for books and maps bought by him at Paris. Their Lordships seem well pleased with the collection and order that a list be made of all books, maps and papers belonging to the Committee, and that an authentic copy be lodged in the Council chest. [*Col. Entry Bk., Vol. CV., p.* 266.]

July 31. Port Royal. **770.** Governor Lord Carlisle to Secretary Coventry. Arrived on 18th and came on shore next day. His Commission solemnly published. Called a Council, only three away, who were sick, of the 13, but the name of Ball, one of the African corn-factors omitted, so purposes swearing him in next Council. Writs issued for calling an Assembly on 2nd September. This harbour much strengthened by two new batteries, the Rupert and the Carlisle, by the diligence of Sir Henry Morgan since Lord Vaughan left. On expectation of war with France many privateers under French Commissions coming in; employing them will be a difficulty unless

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the trade of logwood be adjusted with the Spaniard. Proposes trying to recover the French guns. Has ordered the two frigates to cruize at sea 14 days. Only two of the soldiers dead, thro' excessive drinking of water; they are very necessary for suppressing the negroes who have been lately very outrageous. Has acquainted the Council with most of his instructions, and shall endeavour to remove all prejudices and misunderstandings. "Read at the Committee 6 Feb. 1679." [*Col. Entry Bk., Vol. XXIX., pp.* 251–254.]

July. **771.** Petition of A. B. to the King. Having pitched upon a place to the leeward of Surinam and Essequibo, called Demerara, fitting for a plantation and place of trade which Petitioner is willing, at his own cost, to try if he can bring to perfection, requests His Majesty will grant his patent for establishment of same, or at least a provisional order to prosecute the affair with assistance from the Governors of the Leeward or Caribbee Islands, and privilege to transport to Barbadoes and other islands the trees and canes cut down for clearing the ground, which are specially wanted at Barbadoes for heading staves and hoops for casks. *Annexed,*

771. I. [Sir Robert Southwell] to Secretary Sir Joseph Williamson. The Lords of Trade and Plantations have perused a proposal of a stranger not unknown to him to erect a plantation at Demerara, but not having opportunity to discourse with him desire he will more fully explain himself in some necessary points, which are particularised, and put them in Williamson's hands. [*Col. Entry Bk., Vol. XCVII., pp.* 60–62.]

Aug. 2. Whitehall. **772.** Petition of John Martyn of Plymouth to the King. The Commissioners of the Treasury having ordered him 800*l.* for the service of his ship, the Peter of Plymouth, imprested in 1667 by Lord Willoughby against the French and Dutch at the Leeward Islands and payable out of the 4½ per cent. on sugars, but being clogged with previous orders, prays that payment with interest may be appointed on some other fund, with reference to the Lord High Treasurer to report. ½ *p.* [*Dom. Entry Bk., Chas. II., Vol. XLVI., pp.* 238.]

Aug. 8. Whitehall. **773.** Warrant to Lemuel Kingdon, Paymaster of His Majesty's forces, to pay to Frances, wife of Lieutenant William Morris, now in the King's service in Virginia, all sums due to her said husband, according to the closing of the Muster rolls here. [*Dom. Entry Bk., Chas. II., Vol. XXIX., p.* 284.]

Aug. 8. Nevis. **774.** Governor Stapleton to Lords of Trade and Plantations. The Quaker, ketch, Captain Richard Haddock, has returned from Barbadoes, and has ordered him to sail for some secure port until after hurricane time. Has thoughts to send her home. Is very much afraid that through the Captain's bad usage of warrant

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officers and seamen hardly any will go home in her, above a third being forced by his cruelty to desert the King's service. Captain William Freeman will present depositions by which the matter will more fully appear. Neither the Commander nor the vessel are fit for the service required. "Rec. 28 and Read in Council 30 Oct. 1678." 2 *pp.* [*Col. Papers, Vol. XLII., No.* 116, *and Col. Entry Bk., Vol. XLII., pp.* 321–323.]

Aug. 8. St Jago de la Vega. **775.** Minutes of Council of Jamaica. Oaths administered to some of the Council. Order for Captain Temple to go with two frigates to recover the guns lost by Captain Knapman. That the Chief Justice consider of a way for settling a market at St. Jago de la Vega for the sale of fish, flesh, fruit and herbs. The Surveyor-General's patent read, and Robert Fellgate deputed by Charles Modyford to give in 2,000*l.* security. That John Crompton pay Thomas Martin 64*l.* 7*s.* 6*d.*, the moiety of his Commission money and mutually seal to each other their releases.

Aug. 30. Return by the Provost Marshal of the writs of election of Assembly men. Proclamation to be prepared by the Attorney-General prohibiting the making waste and cutting down pimento trees without the Governor's license. [*Col. Entry Bk., Vol. XXXV., pp.* 662–666.]

Aug. 8. James City, Virginia. **776.** William Sherwood to Secretary Sir Joseph Williamson. The peace of the country interrupted by the malice of discontented persons of the late Governor Berkeley's party who endeavour to bring a contempt upon Colonel Jeffreys, their present good Governor, the chief being Lady Berkeley, Colonel Philip Ludwell, Thomas Ballard, Colonel Edward Hill, and Major Robert Beverley, all cherished by Secretary Ludwell, who acts severely. Their faction upheld by the hope of Lord Culpeper doing mighty things for them. Is hated and abused for opposing that faction and vindicating the King's authority. Refers to the bearer Colonel Rowland Place for a more ample account. 1 *p.* [*Col. Papers, Vol. XLII., No.* 117.]

Aug. 10. **777.** Answer of Randal Holden and John Green to the Petition of Richard Smith in obedience to the order of the Lords of Trade and Plantations of 30th July. Wonder at the confidence of the Petitioners in claiming the lands, the King having been declared sole proprietor, and the lands called the King's Province (by the Royal Commissioners in 1665), who having heard the Petitioners' claim with respect to their alleged deed made in 1659, pronounced the pretended Indian purchase void, (copies of writings concerning this they have to show), and prohibited Connecticut and the other colonies from exercising any jurisdiction there, John Winthrop, Governor of Connecticut, being then present and ordered the temporary jurisdiction of these lands to Rhode Island and Providence Plantations. Four years after Connecticut raised new disturbances claiming jurisdiction of the King's Province, whereupon a Treaty was held at New London, but they remained obstinate and perverse and refused an appeal to the King and by violence

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compelled one town, Westerley, to submit to them, and have since endeavoured to break in farther into the said province, not regarding the Commissioners' decision on the King's declaration of 10th April 1666, commanding the observance of all determinations made by the Commissioners till the King's final determination should be made, nevertheless under pretext of conquest from those Indians they strive to take those lands by force from the King. As for Rhode Island not sending them help in the Indian war, the Petitioners not only disclaimed its jurisdiction, but strove to bring in the jurisdiction of Connecticut. Nevertheless the other colonies' forces dealt not well by the Petitioner, for after they had made use of his house for their head-quarters and garrison they deserted it, so that it was soon after burned by the Indians. Commissions were given forth by Rhode Island in the war with Philip and good assistance was given to the other colonies by sloops well-manned transporting their men and often venturing hard on shore to fetch off their men when in danger, taking care of the wounded men and providing quarters. Pray that the jurisdiction of Rhode Island may be continued entire and that Connecticut be ordered to restore the place taken from them. *Signed and Endorsed :*—"Answer of the Men of Warwick in Rhode Island." 2 *pp. Enclose,*—

Petasguamskuck. 777 I. "Papers delivered by the men of Warwick touching the Narragansett Indians surrender," viz. :—(1) Acceptance by the King's Commissioners of the submission of the Narragansett Indians on condition of paying two wolves' skins a year on May 29. 1665, March 20. (2) Sir George Cartwright to Mr. Gorton. Regretting that at present he can do nothing on his behalf, but promising his assistance on his return to England. Boston, 1665, May 26. (3) Proclamation of the King's Commissioners. Settling for the present the government of the Narragansett country. 1665, April 8. (4) Proclamation of the Commissioners. Declaring the reception of the Narragansett Indians under the King's protection, settling the boundaries and lands of the King's Province. Petaguamscatt, 1665, March 20. (5) Proclamation of the owners and inhabitants of Shaw-Omett to the men styled Commissioners sent from Boston. Forbidding them to set foot in their land in a hostile way. Shaw-Omett, 1643, September 28. (6) Order for the confinement of Samuel Gorton to Charlestown during the pleasure of the Court with a copy of the charge of heresy against him. 1643, Nov. 3. *Endorsed :*—"Copy of papers by the men of Warwick in New England on the 10th of Aug. 1678." 7 *pp.* [*Col. Papers, Vol. XLII., Nos.* 118, 118 I.]

Aug. 12. **778.** Sir John Werden to Major Andros. It is his Royal Highness's pleasure that he protects and secures in quiet possession to Hippolit Lefevre and John Pledges, his brother-in-law, and one Malster, divers parcels of land they have bought from John Fenwick in New Jersey, who hath earned one-tenth of that moiety

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of New Jersey which was heretofore Lord Berkeley's. ¾ *p* [*Col. Entry Bk., Vol. LXX., p.* 27.]

Aug. 14. St. Jago de a Vega. **779.** Governor Lord Carlisle to [Secretary Coventry]. Arrived in seven days from Barbadoes on 18th July. Gave an account by the ship Dragon of his reception and of Sir Henry Morgan building two new batteries at Port Royal (*see ante No.* 770). Also sent account from the Governor of Curaçao of the French losses and his purpose to recover their brass guns which were sunk. Has also proposed to the Council the recovery of their own guns lost three years since on the coast of Hispaniola, in between five and nine feet of water. Some of the Council much dissatisfied at the alterations in the laws and the manner of passing them, particularly at a clause in the Militia Bill which they are jealous of lest that thereby they make it legal to execute all instructions that are or shall be sent to Carlisle or any succeeding Governor, "which scruple might easily be avoided, but that the Great Seal being affixed to the laws I have no power to make any alteration which I might have done both to their satisfaction and the preservation of the King's right." Fears the Act for the revenue will not pass without difficulty, but shall endeavour all he can. The Treasury exhausted and in debt for their new fortifications. The least coin here is 7½*d.* so that the inhabitants suffer much in their way of trade. Desires an authority to erect a Mint which the King and Council granted to the island. *Encloses,*—

779. I. An instruction to Governor Lord Carlisle to erect a Mint in Jamaica "Read at the Committee 6 Dec. 1678." [*Col. Papers, Vol. XLII., No.* 118*, *and Col. Entry Bk., Vol. XXIX. pp.* 244–247.]

Aug. 25. Boston. **780.** Governor Leverett to Secretary Sir Joseph Williamson. Received on July 10 by Mr. Phillips the King's commands, dated 27 April 1678, and a copy of the oath of allegiance. Presently called the Council, but by reason of sickness could not meet till the 23rd of the same month, when the Governor, Council, and Secretary took the oath by the copy sent. On the meeting of the General Court the King's commands will be communicated to them and doubts not but there will be a ready compliance. *p.* [*Col. Papers, Vol. XLII., No.* 119.]

Aug. 26. **781.** Commission to Thos. Lord Culpeper, Governor of Virginia, appointing him Captain of a company of foot in Virginia, consisting of one hundred men besides officers. Also Thomas Leigh, Lieutenant, and William Armiger, Ensign. [*Dom. Entry Book, Chas. II., Vol. XXIX., pp.* 294–5.]

Aug. **782.** "Papers about Captain Breedon" concerning New England. During the time of Oliver, New England had always an agent here, one Winslow, one-fourth of the children there are not christened for they neither baptise nor give the sacrament to other than those

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of their congregation in fellowship. The' most come to Church for fear of the 5*s.* per Sunday. They must enter covenant. One Sedgwick was sent, about 1656, to raise men at Boston, which he did to reduce New Amsterdam, which being given up by treaty he carried those men (and Leverett with them, he thinks) to subdue the French broil wherein one of the parties appealed to the Protector. But when, in June 1662, Captain Breedon was listing men for that expedition under the title he derived from Mr. Elliott of the Bedchamber (before Sir T. Temple regained it) the Governor of Boston called for his commission which having shown, he said, "he has granted what was not in his power, for we have a charter for all," put Breedon in prison for 24 hours till he gave security to desist (no such behaviour to Sedgwick, sent by Cromwell; he was after Governor of Jamaica). When the Commissioners went over they had different quarters assigned them, but chose to lodge at Captain Breedon's. They had exposed their commission about a week before to the Governor and Council, but as they were beginning with the case of one Deane (about a ship seized contrary to the Act of Navigation) there came a rabble of about 100 before the door, a sort of herald and a trumpeter, proclaiming a prohibition to the Commissioners to proceed or to any to attend at their peril. One Peirce, (?) a great fanatic, came first with news of the King's Restoration with the King's flag in the maintop; he brought Goffe and Whalley who called themselves Richardson and Stevenson (as their fathers were called): Breedon advised seizure; the Governor saved them. Note to mention how Humphries and Cradock were here and called on to answer by the Great Council. Was it proposed that all the patentees should go over, or were they here such men of bulk and estate as to make that unlikely? If so, explain that and speak of the men. How were they to fare who never went over and what was their advantage? *Note.*—The King must either have Governor there, or have the absolute government of the place here. Did the Company ever sit here, as the Quo Warranto explains, or was that only to lay the action? The ship Eagle was here bought by the Company. 3 *pp. Printed in New York Documents, III., pp.* 270, 271. [*Col. Papers, Vol. XLII. No.* 120.]

Aug. 27. Whitehall. **783.** Journal of the Lords of Trade and Plantations. There was received a box from Governor Stapleton inclosing the following papers. Here follows a list of inclosures to the Governor's letter of 29 June 1678, which are calendared (*see ante, Nos.* 741 I.-XVII.). *Col. Entry Bks., Vol. CV., pp.* 266, 267, *and Vol. XLVI., pp.* 314, 315.]

Aug. 30. **784.** Sir Robert Southwell to Secretary Sir Joseph Williamson. Encloses copy of Governor Stapleton's letter of 29 June last, the most material of the papers sent is the Treaty of Neutrality he has made with the French in St. Christopher's. *Encloses,*

784. I. Governor Stapleton to Lords of Trade and Plantations. Nevis, 1678, June 29 (*see ante, No.* 741). "Rec. 27 Aug. 1678, from Col. Crispe."

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784. II. Treaty of Neutrality between Governor Stapleton and the French Governor in the Leeward Islands. Nevis, 1678, May $\frac{9}{19}$. "Rec. from Capt. Crispe, 27 Aug. 1678." [*Col. Papers, Vol. XLII., Nos.* 121, 121 I., II.]

Sept. 2. **785.** Minutes of Council of Jamaica. The Assembly meeting in a full body, the oaths were severally administered to them by the Council. William Beeston presented to the Governor, as Speaker, who commended their choice.

Sept. 3. Five Acts sent to the Assembly. The King's instructions to the Governor read in open Council. Message from the Assembly desiring copy of the Governor's Commission and the oaths to be administered to Charles Boucher, Clerk of the Assembly, and both were accordingly done. The Attorney-General to attend on Council; the oath to be taken by him. Mem.—"*Minutes of Council of Jamaica wanting from* 3 *Sept.* 1678 *to* 14 *May* 1682." [*Col. Entry Bk., Vol. XXXV., pp.* 666-668.]

Sept. 2. St. Jago de la Vega. **786.** Journals of the Assembly of Jamaica. Heads of a speech which Governor, the Earl of Carlisle, made to the General Assembly on Monday 2nd September. Then the Assembly waited upon the Governor at his own house where they took the oaths and afterwards went to the Court House and chose William Beeston Speaker. Election of Charles Boucher, Clerk of the Assembly, and George Bedworth, messenger.

Sept. 3. Return of the members elected, viz.:—

St. Thomas, Ralph Whitfield and Edward Stanton.
St. David's, Thomas Ryves and Eleazar Wignall.
St. Andrew's, Samuel Barry and Richard Braine.
Port Royal, William Beeston, Samuel Bach, and Anthony Swymmer.
St. Katherine's, John Bourden, Samuel Bernard and Henry Fenwick.
St. Dorothy's, John Colebeck and Theodore Cary.
St. John's, Peter Beckford and William Bragg.
St. Thomas-in-the-Vale, George Nedham and Fulke Rose.
Clarendon, Charles Atkinson and Thomas Sutton.
Vere, George Fawcett and Andrew Langley.
St. Elizabeth's, Robert Bridgewood and Jonathan Ashurst.
St. James', Samuel Jenks and Augustine Gavell.
St. Anne's, Richard Hemings and Benjamin Smith.
St. Mary's, John Bathurst and Thomas St. Nicholas.
St. George's, Andrew Orgill and Hump. Baskerville.

Voted that twenty-one be a quorum. Rules of the House which are read. Colonel Long attested that Lieutenant-Colonel Colebeck was sworn before three of the Council. Mr. Howser to be requested to say prayers every morning between 6 and 7 o'clock. Committee to wait on his Excellency for the returns to the writs of election that they may examine whether the elections were duly made and to desire a copy of his commission; the former were sent and the latter promised as soon as it could be writ out. Form of the oath

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administered by the Council to Charles Boucher, Clerk to the Assembly. Mr. Powell, Secretary, brought to the House six papers (Titles of Acts). Voted that Samuel Jenks, a member, be sent for by a messenger.

Sept. 4. Copy of his Excellency's Commission brought in; voted that he be addressed for the original; the Governor's answer. Another address voted, to which his Lordship answered, "that he thought they were very nice," but would give order for them to be brought. The originals of the papers brought in. Copy of the Commission to which the Bills are filed with the titles of the forty Acts.

Sept. 5. Committee appointed for examining Bills. The Secretary brought in three papers; the titles. Mr. Howser's answer that he would give his attendance as requested.

Sept. 6. Report of the Committee appointed for examining the bills, viz., the title of each Act examined, and the variations and omissions as sent home by Lord Vaughan.

Sept. 7. Several Bills brought to the House. Four taken from the Committee by the Secretary promising to return them presently, which he not doing the House ordered the Clerk to demand them, but the Secretary answered His Excellency was perusing them, and had ordered no more Bills to be delivered, and he believed no more would be till some of those they had were passed. Committee appointed to attend His Excellency, whose answer was that he had not yet read them, and that we had Bills enough to last until Wednesday, which he desired might be read, and what we liked passed, and what not to draw up our reasons. Committee appointed to examine the Bills and draw up reasons.

Sept. 12. Voted that every Member who does not appear to-morrow, and to every other adjournment, be fined.

Sept. 13. Voted that the Speaker's warrant be issued to Major Stanton to show cause for his long absence. Reasons drawn up by the Committee against passing certain Bills sent to the Assembly by His Excellency.

Sept. 14. Further reasons to be added to those already affected against passing the Act for the revenue. The Speaker reported that His Excellency demanded the reasons and that the Bills be brought to him, but was answered they were in the custody of the Clerk, to which His Excellency replied he knew no reason why the Clerk should keep any papers His Excellency had a mind to see, and that he might in another Assembly appoint a Clerk himself. Put to the vote whether the Bills and reasons should be sent to His Excellency, and voted in the negative.

Sept. 17. Ten Bills brought from His Excellency, their titles. The House waited on His Excellency. Proceedings on various Bills. On the Bill of revenue being about to be read the Speaker informed the House His Excellency desired that they would acquaint him before reading it, to which the House dissented, and ordered Captains Brayne and Nedham to wait on His Excellency and acquaint him therewith. They reported he took the message from the House kindly, and repeated his wish for them to defer putting the Bill

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for the Revenue to the vote until the Speaker and the whole House or a Committee should wait upon him this evening to discuss these reasons, that it was a thing of great concern and better delayed for five or six days, and to proceed upon some other of the new Bills. Voted that the whole House wait upon His Excellency.

Sept. 18. The Bill for regulating hunting voted not to pass. The Bill for Revenue being called, the Speaker said His Excellency had ordered the House to be adjourned till Monday if they would proceed upon that Bill; whereupon question whether they should adjourn till Monday or address for a longer adjournment, and voted to adjourn till Monday.

Sept. 23. Copy of the writ of election ordered to be entered in the Journals. The Clerk attended His Excellency, and said it was contrary to his oath to bring to him the reasons of the Assembly for not passing the Bill of Revenue, but His Excellency answered he mistook the oath, and that it was not meant he should keep any secrets from His Excellency, for he would not suffer any such thing; that the meaning was he should not idly tell them about in taverns and such like places, and that if he did not bring them by six in the morning "he would lay him by the heels and put in another clerk next morning." His Excellency sent for the Clerk again and told him that things, after they had passed the vote, were not secrets, that it was very unreasonable to keep the knowledge of the reasons from him, since without them he and the Council could not draw up other Bills that might be more to their satisfaction. Address of the Assembly to His Excellency in reference to their proceeding upon the Bill of Revenue and the papers in the custody of their Clerk. Put to the vote whether the clause about the Clerk be left out, and carried in the negative. Committee who presented the Address reported His Excellency desired the Assembly to wait upon him in the morning when he would give them an answer.

Sept. 24. Further proceedings in reference to the Bill of Revenue, and His Excellency's answer to their Address.

Sept. 25. His Excellency's answer to the reasons against the Bill of Revenue. "Upon the whole matter, if my advice may prevail with you, it shall be that you pass this Bill, and in the most obliging manner to His Majesty. You have something to petition for; this may smooth your way to make you successful, your posterities and this island happy." Put to the vote whether the Bill of Revenue be read or not before any other, voted to be read next, and being read voted not to pass. Titles of other Bills voted not to pass; and of other Bills delivered to the Assembly to examine by the originals.

Sept. 26. Reasons drawn up against fifteen Bills that were voted delivered to His Excellency, who demanded them. The whole House waited upon His Excellency at his request. Bills examined with the originals. Message voted to be sent to His Excellency. That the reasons sent to him against the Bills were the reasons of the whole House, so that no Members ought to be distinguished or parti-

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cularly sent for, neither should they be debated or discoursed by any private members now the matter is past. Bills read a first time.

Sept. 27. Bills examined by the Committees, and titles of other Bills read a first time. Five Committees appointed to draw up reasons for the passing or not passing of certain Bills and examining other Bills, the titles of which are given.

Sept. 28–30. Reports made by the above Committees to the House. [*Col. Entry Bk., Vol. XXXVII., pp.* 195–206.]

Sept. 3. Windsor. **787.** Warrant to [the Attorney and Solicitor General]. To prepare a Bill containing a Commission under the Great Seal to Edward Randolph, Collector, Surveyor, and Searcher of His Majesty's Customs in New England, Thomas Savage, William Tayler, George Curwin Wheeler, Thomas Brattle, Thomas Deane, James Whetcombe, Richard Wharton, John Richards, Humphrey Warren, Thomas Kellum, John Hubbard, Humphrey Davey, and Samuel Moseley, also the Council of Our Corporation of Massachusetts Bay, and the Members of said Council, or any five, power and authority to administer to John Leveret, Governor of Our said Corporation of Massachusetts Bay, the oath to do his utmost to cause the Acts relating to Trade and Navigation to be duly observed. *Annexed,*

787. I. Form of the oath to be taken by Governor John Leveret. [*Col. Entry Bk., Vol. CX., pp.* 131–135.]

Sept. 3. **788.** Journal of Assembly of Barbadoes. Conference with the Governor and Council. Debate on the paper of heads received; agreed that these answers be returned, viz.:—1. An Act ordered to be drawn for reviving the power of Commissioners for settling the public accounts. 2. Also an Act to continue the Act of the Militia. 3. The Committee of Public Accounts and the gentlemen of the Assembly will bring an account of their parishes, and also of all arrears. 4. The Committee will also inquire into the accounts of the Commissioners for the fortifications, the works being near finished. 5. Ordered is prepared for the establishment of a gunner and two mattrosses to every fort. 6. Ordered that an Act be drawn concerning the paying for negroes executed. Order for the establishment of a gunner and mattrosses to each fort. Voted that 200,000 lbs. of muscovado sugar be presented to His Excellency for his better support in the government.

Sept. 4. Ordered that by the Council and Assembly that the above sugar be presented to the Governor. Orders for payment of salaries to the gunners and mattrosses of the several forts; also to Thomas Rawlins, chief gunner. Ordered that the representatives for each parish bring in a list of the land and negroes in their respective parishes, the total amount of the two last levies, and an account of persons in arrear; also that the Commissioners of the Fortifications bring to the Committee for settling the public accounts a perfect account of all charges and disbursements for same. Various Acts passed.

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Adjourned to 1st October. [*Col. Entry Bk., Vol. XIII., pp.* 320–325.]

Sept. 4. Antigua. **789.** Two Acts passed in the island of Antigua, viz., An Act enabling Mr. Henry Winthrop, Captain Joseph Winthrop, and Lieutenant Samuel Winthrop to sell or divide their estate for the payment of debts and legacies. An Act for the enabling Mrs. Dorothy Everard, by Major William Barnes and John Parry, Esq., her guardians, to make a firm conveyance of her part of a certain plantation in old North Sound, late the estate of Mr. Thomas Everard, her father, deceased, unto Captain John Vernon, her now father-in-law. 4th September 1678. [*Col. Entry Bk., Vol. L., pp.* 329–331.]

Sept. 7. St. Christopher's. **790.** Minutes of the Council of St. Christopher's. Act to be made against transporting sugar, indigo, or tobacco except to His Majesty's islands, plantations or dominions, or cattle or horses bred in the island on penalty of a fine of 1,000 lbs. of sugar for every such offence. [*Col. Papers, Vol. XXVIII., No.* 69, *p.* 27.]

Sept. 9. Windsor. **791.** Warrant to [the Attorney and Solictor General]. To prepare a Bill containing a Commission under the Great Seal to Edward Randolph, John Cranston, Francis Brenley, Randal Holden, John Sandford, and Arthur Fenner; also the Members of the Council of Our Corporation of Rhode Island and Providence Plantation and the Members of the Council, or any five, power and authority to administer to Benedict Arnold, Governor of Our said Corporation, the oath to do his utmost to cause the Acts relating to Trade and Navigation to be duly observed. [*Col. Entry Bk., Vol. CX., p.* 136.]

Sept. 9. Windsor. **792.** Similar warrant for a Commission to Edward Randolph, James Cudworth, William Bradford, Constant Southworth, Peregrine White, Benjamin Church, and Nathaniel Morton to administer aforesaid oath to Josias Winslow, Governor of New Plymouth. [*Col. Entry Bk., Vol. CX., p.* 136.]

Sept. 9. Windsor. **793.** Similar warrant for a Commission to Edward Randolph, John FitzWinthrop, Edw. Palms, John Talcot, Richard Smith, John Allen, James Richards, Samuel Willis, and Thomas Stoughton to administer said oath to William Leet, Governor of Connecticut. [*Col. Entry Bk., Vol. CX., p.* 136.]

Sept. 10. St. Jago. **794.** Governor Lord Carlisle to Secretary Coventry. The Assembly met on the 2nd instant, and are so dissatisfied with the alterations in the Government that the Governor questions whether they will pass any of these laws. They object to the Act for revenue, and are nettled at the expression in the preamble that the revenue was raised by the Governor and Council. Has given them copies of fourteen more Acts; only one man can write at a time, as they are bulky. Lieutenant-Colonel Beeston is Speaker, whom the Governor recommended to them. The Assembly

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say the laws differ in many things from those sent by Lord Vaughan, "which are most usefully framed for their present benefit." Popular discourses prevail here as in England; finds the leading men of the Assembly rather frame arguments against the present constitution than accommodate things under it. Will do his best to remove this difficulty. One of the Council more faulty than any man, but is unwilling to name him till he has tried his best to reclaim him. "Read at the Committee 6 Feb. 1679." [*Col. Entry Bks., Vol. XXIX., pp.* 249–251.]

Sept. 14. Barbadoes. **795.** Governor Atkins to William Blathwayt. In a letter dated a twelvemonth before he received it, the Lords complain that all the laws are not sent. They are as voluminous as the statutes of England, and has no press and no clerks to dispatch so much writing, but all haste possible shall be made to finish and send them. Has taken the oath which is registered in the Secretary's Office. 1 *p.* [*Col. Papers, Vol. XLII., No.* 122; *also Col. Entry Bk., Vol. VI., pp.* 236–237.]

Sept. 16. Spring Gardens. **796.** [Sir Robert Southwell] to Mr. Stoughton. Was sorry to understand by his letter of Saturday that he lay under any indisposition of health; was lately in the same condition but has passed it over. If the papers he desired are only mislaid, hopes that with further search they may be retrieved; would willingly vouch nothing but what seemed authentic in all things he touched upon. Finds by a letter from Mr. Rawson to Secretary Morice that the first Petition and Address from their Colony had a gracious answer; the same appears by another address in form of a letter to the King signed 7th August 1661 by Mr. Endicot, whereby it appears that the King's said answer mentioned somewhat of Venner, who made the Insurrection in Cheapside. Supposes that this letter had no answer from the King being on the main only thanks for the kindness of the first answer. If otherwise, desires to know. Wants hitherto the Petition and Address brought by Mr. Broadstreet and Mr. Norton after this letter of 7th August 1661. Finds in turning over the Council Books an entry on 10th April 1663 to the effect that a Letter from New England, and several Instruments and Papers being read at the Board, the King declared that he intended to preserve the Charter of that Plantation and to send Commissioners thither speedily to see how the Charter is maintained and to reconcile differences. Would like to see copies of that letter, instruments, and papers, which seem to have been sent over to uphold the validity of the Charter; shall be glad to make mention of all that has been said. 2 *pp.* [*Col. Papers, Vol. XLII., No.* 123.]

Sept. 16. New York. **797.** Sir Edmund Andros to William Blathwayt. Arrived on the 7th after nine weeks passage, found things quiet though much alarmed with rumours of war, which occasioned extraordinary public charges. Has since received letters from the Governor of Maryland of mischiefs done by strange Indians in the parts of

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Virginia and Maryland, apprehending 'tis the Sineques [Senecas] and the beginning of a war, which he cannot think, said Sineques as well as Moquas having been always very good and faithful to this government, though since being treated with by their neighbours they have been rude and insolent, and the Moquas publicly fetched away by fierce friend Indians of Connecticut, as they write, and was owned when they sent to demand but no satisfaction given; which must be expected so long as each petty colony hath or assumes absolute power of peace and war, which cannot be managed by such popular governments, as was evident by the late Indian War in New England. They are as high as ever, as appears by the inclosed printed paper disposing of the Narragansett country; also how well they observe Acts of Parliament for entries and clearings of ships and take the oaths is daily seen. Thought to have gone to Pemaquid this year, it having proved very advantageous to the fishery by containing all the Indians in those parts within the bounds prescribed, but by advice of his Council has deferred going till spring to settle things as they ought for a continuance; in the meantime former orders to be observed as far as Black Point, being what the Indians were possessed of when they submitted; shall not value the Bostoners talking high of their pretended purchase from Gorges, unless ordered from home. *Endorsed*, "Received 18 Nov. 1678. Read in Council 4 Dec. 1678." 2 *pp. Printed in New York Documents, Vol. III., pp.* 271, 272, [*Col. Papers, Vol. XLII., No.* 124; *also Col. Entry Bk., Vol. XLVIII., pp.* 40–42.]

[Sept. 17.] **798.** Petition of Merchants and Traders of Jamaica and the Western Plantations to the King and Privy Council. That the intollerable injuries, unheard of cruelties, innumerable depredations and bloody murders, committted by the Spaniards upon His Majesty's subjects in the West Indies ever since the Peace with Spain of July 1670, far exceed those so much worthily detested tortures of Amboyna. Recite the petitions of Edmund Cook, Martin Stamp and others, the former going with credentials to the Court of Spain to demand satisfaction which the Spaniards deny. Pray for speedy relief, otherwise Jamaica and all persons trading to those parts must inevitably be ruined. "Read in Council 17 Sept. 1678." 1 *p.* [*Col. Papers, Vol. XLII., No.* 125.]

[Sept. 17.] **799.** Petition of Martin Stamp to the King and Privy Council. Has obtained several Orders in Council touching the robbing, torturing and murdering petitioner's brother Timothy Stamp and other English mariners by the Spaniards. His Majesty by computation has lately lost 1,000 English mariners, in all probability murdered by the Spaniards at sea, for seventy sail of merchants are lately missing. Recites the proceedings that have been taken by the King's Ambassador in Spain and the sufferers to obtain satisfaction for upwards of three years and prays for letters of reprisal. "Read in Council 17 Sept. 1678." *Signed by* Martin Stamp. 1 *p.* [*Col. Papers, Vol. XLII., No.* 126.]

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Sept. 18. Windsor. **800.** Warrant to Lemuel Kingdon. Authorising him to redemand from the officers lately come from Virginia the pay of twenty men left behind in Virginia which said officers have received more than their due. [*Dom. Entry Bk., Chas. II., Vol. XLI., p.* 170.]

Sept. 18. **801.** [Sir Robert Southwell] to the Earl of Clarendon. Has already presented his Lordship with a letter from the Committee touching a Book of Entries and some papers of former times. Has lately been turning over the Council books and collecting all papers he could of what passed to and fro on the King's Restoration, and so on to the going over of the Commissioners in 1664 with their returns while there. But the account of things is so broken notwithstanding what he has got from the Secretary's Offices that his entire hope is on what his Lordship will be able to furnish out of his father's papers on his arrival at Cornbury. Has much reason to hope from them all that he wants, as this affair passed under his Lordship's particular conduct. Is at a dead stand till his Lordship favour him, but 'tis for His Majesty's and the public service. 1½ *pp.* [*Col. Papers, Vol. XLII., No.* 127.]

Sept. 18. **802.** [Sir Robert Southwell] to Captain Breedon. Has found out, in the Journal of the first Council for Plantations after the King's happy return, the narrative he presented; encloses it for perusal, and in order to have it authentic to have it sworn to before a master in Chancery. Sends also a letter from Mr. Randolph for him to peruse and set forth the particulars thereof, if not fully expressed before in the narrative in the best manner he could call to mind, and to subscribe and make affidavit of it. These things will be evidence of moment in the memorial that he is drawing up about the affairs of New England; shall make due report of his loyalty to the Commission. *Endorsed,* "18 Sept. 1678. To my Lord Clarendon at Swallowfield for New England Papers. Also to Captain Breedon at Dublin." 1½ *pp.* [*Col. Papers, Vol. XLII., No.* 128.]

Sept. 18. Whitehall. **803.** Caveat to the Clerk of the Signet (on behalf of Dr. Hugh Chamberlain ?). Let no Grant pass of the Estate of one Mr. Brett of Barbadoes, who has lately laid violent hands on himself until notice be given to me. *Signed* J. W. (Joseph Williamson). *N.B.*—This entry has been crossed through with the pen. ¼ *p.* [*Dom. Entry Bk., Chas. II., Vol. XLV., p.* 55.]

Sept. 18. **804.** Colonel Francis Moryson to [William Blathwayt.] Sends papers which show he had a just occasion to desire his vindication in the particular of Mrs. Drummond's report, and which he desires may be presented to the Lords of Trade and Plantations, that they may see how well His Majesty's orders are obeyed in Virginia. 1 *p.* [*Col. Papers, Vol. XLII., No.* 129.]

Oct. 1. Whitehall. **805.** The King's Warrant to the Attorney or Solicitor General. To prepare a Bill to pass the Great Seal containing a pardon to Sands Knowles, a planter of Virginia, for erasing, altering, or

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counterfeiting any orders of His Majesty's Commissioners for the affairs of Virginia. 1 *p.* [*Dom. Entry Bk., Chas. II., Vol. XXVIII., p.* 222.]

Oct. 1. **806.** Journal of Assembly of Barbadoes. Several Acts with amendments by the Governor and Council passed.

Oct. 2. Ordered that the Treasurer make payment to His Excellency of one third part of the sums of sugar voted to him, in money or what thereof is yet unpaid, and also give him credit for the duty of four pipes and a half of Madeira turned sour and altogether unsaleable. Two Acts passed. Adjourned to 26th November. [*Col. Entry Bk., Vol. XIII., pp.* 325–327.]

Oct. 1. **807.** Journals of the Assembly of Jamaica. Reports of the Committees brought in against those Bills given to them to examine. Committee appointed to draw up a Revenue Bill, and with it to prepare an Address to his Excellency and to bring them both in at 7 o'clock to-morrow morning. Ordered that a Messenger with the Speaker's Warrant be sent for Captain Brayne to give reason for his non-attendance.

Oct. 2. Reasons *in extenso* by the Committee against passing twenty-five Bills.

Oct. 3. Question put whether the enacting part of the Bill for the Public Impost should pass under these words,—by the Governor, Council, and Assembly,—or,—by the King's most excellent Majesty, by and with the consent of the Council and General Assembly,—and it was voted,—by the Governor, Council, and Assembly. Question then put whether the Bill should pass under the style of Governor, Council, and Assembly, or otherwise, and it was voted otherwise. Question put under what style it should pass,—by the King's most Excellent Majesty by and with the advice and consent of the Council and General Assembly. The Bill was then read a first time and voted to pass.

Oct. 4. The above Bill read a second and third time, and voted to pass with the "following interlining." Then the House waited upon the Governor and Council with said Bill, and the Address which follows.

Oct. 5. The reasons for not passing the twenty-five Bills last read were carried to his Excellency by the Speaker.

Oct. 8. The Bill of Imposts with the Council's amendments brought from his Excellency to the House by the Speaker. Committee appointed to meet the Council, and also to report thereon.

Oct. 9. Report of the Committee of the Assembly to the Committee of the Council. The Speaker with the whole House waited upon his Excellency with the Bill of Impost, and the amendments made by the Committee of the Council. Report of the Speaker to the House thereon. After several messages betwen the House and his Excellency a Committee was appointed to meet with a Committee of the Council on their amendments to the Bill of Impost.

Oct. 10. Report of the Committee to the House on the amendments and alterations in the Bill for the Public Imposts. Votes on the several

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amendments. Message to his Excellency, who desired said amendments to be brought to him in the morning, and if he saw occasion he would have another conference.

Oct 11. Votes on each amendment, the second time and the third time. The Bill was engrossed and examined, then signed by the Speaker and ordered to be sent to his Excellency. The Speaker with the whole House waited upon his Excellency according to his desire. [*Col. Entry Bk., Vol. XXXVII., pp.* 206–214.]

Oct. 12. Dublin. **808.** Captain Thomas Breedon to Sir Robert Southwell. Received his of the 18th September (*see ante, No.* 802), two days since with Randolph's enclosed, and copy of a narrative Captain Breedon gave in to the Council of Trade about 1660, and will send it by Captain Daniel Burgess, who was with Breedon in Nova Scotia and New England. Has been ill ever since his arrival here 1 *p.* [*Col. Papers, Vol. XLII., No.* 130.]

Oct. 12. New York. **809.** Sir E. Andros to William Blathwayt. On his arrival found the country quiet, but much alarmed with news of a French war, and has since had several rumours of Indian troubles; his neighbours of Connecticut have written of it, copies enclosed with answers; their acting has made the Indians high if not insolent; never made treaty with the Indians but dealt with them as a part of the Government, which he told their neighbours, and many more arguments against their going to treat, assuring them that as long as the Indians would hearken to this Government they should not hurt them. Now all his hope is regulations and orders from the King, as the only means which will keep them well in peace. *Endorsed,* "Received 24 Nov. 1678. Read in Council 4th Dec. 1768." *Encloses,*

809. I. The Commissioners of the United Colonies to Sir Edmond Andros. Congratulate him on his return. Inform him of a misunderstanding between the Maquas and their friend Indians, the Maquas having made a depredation near their English houses, killing and carrying captive 24; sent for them to be returned, but obtained no more than that they should be returned if again sent for; the Indians under the Government of the United Colonies greatly complain of the mischiefs done by them; fear if the future quarrel be not prevented it will quickly break out into a flame. Hope he will exert his power and interest for the return of the captives, and quieting those disturbances of mankind. *Signed by* Will. Leete, Joseph Dudley, Tho. Hinkley, James Cudworth, John Allen. Hartford, 1678, Sept. 6.

809. II. Answer of Governor Andros to the above. Shall not be wanting on his part to act as they may suggest to prevent any trouble. *Endorsed,* "Recd. from Sir E. Andros, 24 Nov. 1678." New York, 1678, Sept. 10.

809. III. The Commissioners of the United Colonies to Sir E. Andros. Acknowledge his friendly lines. Request him

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speedily to improve his interest and power for the return of those poor captives yet remaining alive among the Mohawks, and for the security of their friendly Indians; their bowels cannot but yearn towards them, considering how friendly and faithfully they have manifested themselves to the English in the late troubles, and many of them are amongst the number on whom the blessed God has had compassion in sending to them his everlasting gospel, hope, not without success to some of their poor souls; have not yet been informed of any just grounds that the Maquas pretend for their daily excursions. Hartford, 1678, Sept. 14.

809. IV. Governor Leete to Governor Andros. His letter of 8th August only just come to hand. Thanks him for his loving and neighbourly notice of one so unworthy, and for the grateful news of a peace through "Urope," hoping such peace may be endeavoured with the barbarians who are so apt to revenge and quarrel, and thereby embroil their English neighbours. Hartford, 1678, Sept. 18.

809. V. Sir E. Andros to the Commissioners of the United Colonies. Finds that they having made a particular treaty with the Maquas, and afterwards sent to demand satisfaction without his knowledge, or notice to any one in his absence; it is not advisable for him to treat with the Maquas on their account, unless they send some sufficiently authorized for that purpose; is ready further to advise on the matter, and to give a meeting at Newhaven, or any other fitting place between this and that. New York, 1678, Sept. 25.

809. VI. Governor Andros to Governor Leete. Thanks him for his letter. Repeats what he has already said to the Commissioners. New York, 1678, Sept. 25. *Endorsed*, "Received from Sir E. Andros, 24 Nov. 1678." *Together*, 8 *pp. Printed in New York Documents, Vol. III., pp.* 271–276. [*Col. Papers, Vol. XLII., Nos.* 131, 131 I.–VI.; *see also Col. Entry Bk., Vol. LXVIII., pp.* 43, 44.]

Oct. 15. Boston. **810.** Governor Leverett to Secretary Sir Joseph Williamson. Since his account by Thomas Sexton of the Governor and Magistrates taking the oath, the General Court has taken it and ordered its taking. Encloses the return of the Court on William Harris's case in pursuance to the King's commands from Hampton Court, 4th August 1675. Thanks his Lordship for his favourable aspect on their messengers William Stoughton and Peter Bulkeley. *Underwritten*, "Read at Committee, 6 Dec. 1678." *Encloses*,

810. I. Account of the proceedings of the Commissioners in Harris's case. *Signed by* Thomas Hinckley (President), Simon Lynde, James Cudworth, D. Henchman, and

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George Denison. Providence, Rhode Island, 1678 Oct. 5. Authenticated copy recd. 7 Oct. 1678 by John Leverett. [*Col. Entry Bk., Vol. LX., pp.* 296, 308; *and Col. Papers, Vol. XLII., No.* 132.]

Oct. 17. **811.** "Narrative and Deposition of Captain Breedon, concerning New England." Being summoned to appear before the Council for Foreign Plantations this day, 11th March 1660, presents the Massachusetts Book of Laws; the distinction between members and non-members is as famous as Cavaliers and Roundheads in England; the grievances of non-members who are for the King are really very many; since the King has granted a general pardon it will not become him to say they had so much as a stinking breath, although they apprehended a gentleman not many years ago (supposing him to be the King) resolving to send him for England, had not Sir Henry Moody and others better known His Majesty. They look upon themselves as a free State, and in December last sat a week in Council before they could agree on writing to the King, there being so many against any dependence on England. Asks why they do not proclaim the King, or act in his name, or give the oath of allegiance to the King instead of an oath of fidelity to themselves. On the arrival of Whalley and Goffe in New England, advised the Governor to secure them, who answered without a commission from England none should meddle with them. Was for this abused by many, calling him malignant, and the Marshal-General of the country coming to him in Court time and grinning in his face said, "Speak against Whalley and Goffe, if you dare, if you dare, if you dare." Afterwards, the Act of Parliament and King's Proclamation came into his hands, which some vilified as being more malignant pamphlets that he had picked up. Wrote to the Deputy Governor a letter (a copy of which is presented), sent it by his man with orders to bring an answer, but he was told to begone. Many of the soldiers would be glad to have officers by the King's commission, two-thirds being now freemen, and a Governor sent from the King; others fear it, and say they will die before they lose their liberties, by which it may appear how difficult it is to reconcile monarchy and independency. There is a law punishing any attempt to subvert their frame of government with death, and if any speak for the King's interest they are esteemed as against the frame of government and as mutineers, under which pressure many groaned at his coming away. Of great concernment that a speedy course should be taken for settling the country in due obedience, the two Hectors, Whalley and Goffe, daily buzzing in their ears a change of Government in England, and multitudes of discontented persons of their gang going and sending their estates thither. What the effects will be is to be feared, they being the key of the Indies, without which Jamaica, Barbados, and the Caribbee Islands are not able to subsist, there being many thousand tons of provisions, as beef, pork, peas, biscuit, butter, fish, carried to Spain, Portugal, and Indies every year, besides sufficient for the country's use. The French and Dutch trading to the English

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Plantations in America is much to the prejudice of England and to the loss of Customs many thousands pounds yearly. Advises that the merchants trading to New England should give security for their friends' allegiance there under pain of an embargo being laid on all shipping bound thither, and that the King should conclude of sending over for establishing the colony in peace and obedience. Deposition attesting the above as a true copy of a paper delivered to the Committee for Plantations signed by Thomas Breedon. jurat. coram me xvii° die Oct^r 1678. Jo. Topham. 3 *pp.* [*Col. Papers, Vol. XLII., No.* 133.]

Oct. 21. Whitehall. **812.** The King's Warrant to Henry Harris, "one of our chief Gravers." To prepare two great seals of silver for our Leeward Islands, on one side to be engraven our effigies crowned in royal vestments holding a trident in one hand placed sitting on a chariot in the ocean drawn by two sea horses, with this inscription: *Sigillum Insularum S^ti Christophori, Nevis, Antegoa, Montserrat, &c.*, on the other side our arms with the garter, crown, supporters, and mottoes, and this inscription: *Carolus II. Dei Gratia Magnæ Britanniæ Franciæ et Hibernæ Rex Fidei Defensor. Annexed,*

812. I. Order of the King in Council. The Lords of Trade and Plantations having this day presented to His Majesty a seal for the Leeward Islands, ordered that same be transmitted to Governor Stapleton, and that the charge for cutting be put to the account of contingent expenses and satisfied out of the Exchequer. Whitehall, 1678, Oct. 30.

812. II. Order of the King in Council. His Majesty being willing to contribute by all possible means to the welfare and prosperity of the Leeward Islands, and as nothing can prove of greater encouragement to planting than that the possessions of his subjects may be made firm to them and their posterity, approves the seal for the Leeward Islands, and orders that it be affixed to all patents and grants of land and all other public acts and instruments made within said islands, and that the same be immediately transmitted to Governor Stapleton; and it is further ordered that publication hereof be made in each of said islands by Governor Stapleton. Whitehall, 1678, Oct. 30.

812. III. Reference by Sir John Ernle, Chancellor of the Exchequer, to Henry Slingesby, master and worker of His Majesty's Mint, to report what he thinks may be a reasonable price to be paid to Henry Harris for cutting the seal for the Leeward Islands, the price demanded seeming by the Lords of Trade and Plantations to be too great and unreasonable. Whitehall, 1678, Nov. 19.

812. IV. William Blathwayt to Mr. Lawrence. Sends copy of the above reference to H. Slingesby for appraising a seal cut by Mr. Harris of the Play House. Plantation Office, 1678, Nov. 20.

812. V. Report of H. Slingesby to the Chancellor of the Exchequer. That he has perused the accounts of Mr.

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Symonds, chief graver of His Majesty's seals, and finds he demanded 70*l.* for making a large double seal of silver for Barbadoes, weighing ten pounds, but does not find he was allowed or paid for it according to his demands. Has likewise seen the impressions of the new seal for the Leeward Islands which he conceives may be mended, yet cannot judge it equal in value with that of Mr. Symonds, who was a great artist and an excellent graver, nevertheless submits same to his better judgment. 1678 Nov. 21.

812. VI. Receipt by William Freeman for the great seal of the Leeward Islands from Sir Philip Lloyd, Clerk of the Privy Council, to be transmitted to Governor Stapleton, 1678, Nov. 30. *Together, five papers.* [*Col. Papers, Vol. XLII., Nos.* 134, 134 I., III., IV., V.; *and Col. Entry Bks., Vol. XLVI., pp.* 323–327, *and Vol. CX., p.* 137.]

Oct 23. **813.** Captain Thomas Breedon to [Edmund Randolph]. Received his enclosed in Sir Robert Southwell's, to which he answers that, on his coming from Nova Scotia to Boston to raise forces according to the King's Commission, the Governor having read the Commission, told him that it was more than the King could grant, by which it may appear that, though they obeyed Cromwell's Commission given some years before to Major Sedgwick, they would not the King's, but committed him [Breedon] to prison and tried him for his life at a General Court, they being accusers, jury, and judges, to whom he refused to plead; but Captain Luke after, some debate, so moderated the Court that they only fined him 200*l.* and bound him to his good behaviour during his stay in the country, both of which he avoided by going to England. The matter was referred in 1664 to the Commissioners, who, sitting at his house at Boston, summoned all persons concerned to attend, but the Government sent a herald and trumpeter and 100 people accompanying them to proclaim that the Commissioners should not act in that government nor any persons give obedience, by which the meeting was dissolved and nothing farther done, the Commissioners leaving Boston about a week after; has heard since then that Captain Nicholas, Sir Robert Carr, Colonel Cartwright, and Mr. Maverick are all dead, knows not what account any of them gave of it. Need say no more of the reception of Whalley and Goffe at Boston, and of Mr. Norton and Mr. Broadstreet; Broadstreet's agencies; adds that one Winslow was their agent maintained in Cromwell's time, and after him Captain John Leverett till some time after the restoration; humbly submits how requisite it may be that they maintain an Agent now in England. 2 *pp.* [*Col. Papers, Vol. XLII., No.* 135.]

Oct. 24. St. Jago de la Vega. **814.** Governor Lord Carlisle to Lords of Trade and Plantations. Has met with the difficulties he foresaw, but could neither avoid nor prevent, in England. The Assembly met 2nd September last. Recommended to them several bills he brought over under the

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Great Seal of England for their consent, but being much dissatisfied at the new form of government and losing their deliberative part of power in altering and amending laws, they would not pass one of them, but threw them all out. They prepared an Address with a Bill of Imposts on wines and strong liquors for a year in such terms it was not fit for the Governor to pass, but afterwards making amendments, he gave the Royal assent and dissolved them on 12th instant. His earnest suit to all their Lordships is to take the present state of this colony into their consideration for some expedient which may quiet the minds of persons generally dissatisfied in this island, "which is most certainly under the greatest hopes of an improvement of all the islands in the West Indies, and therefore most fit to be encouraged with the King's countenance and supported with good and acceptable laws." Begs that the Bills he may send may be despatched speedily. Has lately recovered out of the sea on the coast of Hispaniola the twenty great guns with 212 great shot lost in Captain Knapman's ship in Lord Vaughan's voyage to this island. *Endorsed*, "Read in Council 22 Feb. 1679." [*Col. Papers, Vol. XLII., No.* 136 ; *and Col. Entry Bk., Vol. XXIX., pp.* 270–272.]

Oct. 24. St. Jago de la Vega.

815. Governor Lord Carlisle to Secretary Coventry. H.M.S. Jersey has brought into Port Royal twenty great guns and 212 great shot from the wreck. The Hunter much disabled with lightning and thunder while cruizing, but has been refitted and gone out again. Remarks on the Assembly to the same effect as in his letter to Lords of Trade and Plantations. Put this question to each of the Councillors, "Do you submit and consent to this present form of government which His Majesty hath been pleased to order for this island of Jamaica?" to which Colonel Long, Chief Justice, and Colonel Thomas Freeman and Charles Whitfield refused to answer, but sent their submission the next morning, except Whitfield, otherwise a very good man, who went into the country. Reasons drawn up by the Assembly against passing the laws, many very frivolous, but the best was because they were not compared with and amended by the last laws of Lord Vaughan, now with Secretary Coventry, received some two days before Lord Carlisle's coming away. Has answered their reasons against the Revenue Bill. But no means would prevail with them to pass any one of them. Describes what he looks upon to be their chief reason. In one part of their objection thinks they are right, for they will want temporary laws till the Colony be better grown. Is of opinion it's very advisable and requisite that here should be power from the King to make laws, not relating to His Majesty's power or prerogative, to endure for some term until his approbation may be had; earnestly entreats his care in this. Remarks on the address to the Governor on a Bill for a Public Impost. Dissolved the Assembly on 12th instant. Many English prisoners at the Havaun and other places, of whom he has a list. About 1,200 privateers abroad, but some come in since his arrival, and more hoped for from the encouragement

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he has given them to stay; they have generally French commissions. Some of them in revenge for Spanish injuries took Campeachy and kept it several days. If a war with France, this island will stand in need of their assistance, for we have not above four thousand whites able to bear arms, a secret not fit to be made public. Our best lawyers of opinion that all the laws are determined, though the people believe them to be still in force. If he finds any questions in the Courts of Judicature, has a Proclamation ready to declare them good till His Majesty's pleasure be known. "Read at the Committee 5 April 1679." [*Col. Entry Bk., Vol. XXIX., pp.* 277–284.]

Oct. 24. St. Jago. **816.** Governor Lord Carlisle to Secretary Sir Josiah Williamson. Will most readily show any kindness to Captain Beckfort. Has recovered the twenty great guns lost when Lord Vaughan came over. The proceedings of the Assembly have been so cross-grained that they have thrown out all the Bills he brought under the Great Seal. The disgust to the new frame of Government occasioned it. Some of the laws were faulty themselves. Withstood some of these alterations for in some measure he foresaw what has happened. It rests now with the King and those about him to consider whether you will gratify the people in reverting to the former way. The dilatoriness of passing laws in a new Colony is a sting he shall beg may be altered. Has taken more pains than ever he did in any business in his life to make the Assembly sensible of the hurt they did themselves and the island, but all to no purpose; they will not consent to lose their deliberative power. Great difficulty in getting the Bill of Impost for one year amended in any measure fit to pass. His health better than in England. 2 *pp.* [*Col. Papers, Vol. XLII., No.* 137.]

Oct. 25. **817.** Colonel Francis Moryson to W. Blathwayt. Sends an order lately received from Virginia which will show the Lords of Trade and Plantations a prospect of the arrogancy of Virginia Assemblies. This order was made by an Assembly that was called after our coming away, that which sat during the time the Commissioners executed their Commission never so much as questioned their power, which was sufficiently understood. This very Beverly that complained had a sight of as much as concerned his delivery of the records before we had them. Did not think it necessary to record an executed Commission in an inferior Court—"This order was made by the House of Burgesses and not by both Houses, thus you will see how unfit appeals in causes lye to them from the Governor and Council that make the other House." *Encloses,*

817. 1. Representation of House of Burgesses of Virginia to Governor Jeffreys. That Sir John Berry and Colonel Moryson, His Majesty's Commissioners, by warrant dated 19th April 1677, commanded and forced from Robert Beverly, Clerk of the Assembly, into said Commissioners' keeping for several months, all the original journals, Acts,

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orders, laws, proceedings, gifts, levies, accounts, and all other public allowances whatsoever which concern the Assembly begun at Green Spring 20th February 1677, and also in March and June 1676, "which we take to be a great violation of our proceedings," declaring they had full power from His Majesty, "which this House do humbly suppose His Majesty would not grant or command, for that they find not the same to have been practised by any of the kings of England in the like case." And because this Commission was never published, or put on record, this House prays His Honour to grant them a view of it, and as His Majesty's Governor and representative to give this House such satisfaction that they may be assured no such violation of their privileges shall be offered for the future. "Test. Robert Beverly, Cl. Assembly." *Endorsed*, "Enclosed in a letter from Col. Moryson recd. 25 Oct. 1678." [*Col. Papers, Vol. XLII., Nos.* 138, 138 I.]

Oct. 29. **818.** Colonel Francis Moryson to [William Blathwayt]. Has sent the Commission which the Commissioners acted upon in Virginia, that the Lords may be informed that the records and other papers were commanded by virtue of their Commission, and not by force, as the Order of Assembly imports (*see* 23rd October 1677). That Beverly had a sight of said Commission before he delivered the records. Replies to other points in reference to said Order. [*Col. Papers, Vol. XLII., No.* 139.]

Oct. 30. **819.** The King to the Earl of Carlisle, Governor of Jamaica. To cause John Ball to be sworn one of the Council, his name having been omitted in his Lordship's instructions among the rest of the Members of the Council. [*Col. Entry Bk., Vol. XXIX., p.* 242.]

Oct. 30. Whitehall. **820.** Order of the King in Council. That the letter from the earl of Carlisle, Governor of Jamaica [to Secretary Coventry], dated 14th August last, be referred to Lords of Trade and Plantations for their report as to what they think fit to be done therein. "Read at the Committee 6 Dec. 1678." [*Col. Papers, Vol. XLII., No.* 140, *and Col. Entry Bks., Vol. XXIX., p.* 243.]

Oct. 30. Whitehall. **821.** Order of the King in Council. On representation of the Assembly of Virginia to Governor Jeffreys, setting forth that His Majesty's Commissioners had forced from the Clerk of the Assembly all their original journals, Acts, and other public papers, which they took as a great violation of their privileges, and desired that they might be assured no such violation should be offered for the future, His Majesty, taking notice of the great presumption of said Assembly in calling in question his said authority derived to his said Commissioners, refers the consideration thereof to the Lords of Trade and Plantations for their report of what they think

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fit to be done in vindication of His Majesty's authority, and for bringing said Assembly to a due sense and acknowledgment of their duty and submission towards His Majesty, and such as are commissionated by him. Also to prepare a scheme of laws and orders to be transmitted to said Colony of Virginia. 1 *p.* [*Col. Papers, Vol. XLII., No.* 141.]

Oct. 31. Gresham College. **822.** Minutes of a Committee of the Gambia Adventurers. Resolved that intimation be sent to the Royal African Company that the appraisers for both stocks have agreed on the appraisement of all ammunition, great guns, small arms, ships, boats, and all merchandise which they had remaining on James Island, Bence Island, and Sherbero, and said goods are delivered at each place to the factors of the Royal Company, for which the Gambia Adventurers expect payment according to the articles. The appraisement of James Island amounts to 6,814*l.* 8*s.* 2*d.*, of Bence Island to 4,644*l.* 4*s.* 9*d.*, and of Sherbero to 1,068*l.* 13*s.* 5*d.*

Dec. 10. Ordered that copy of above resolution delivered to Royal African Company by Squire Bence, with clause of the lease relating to the time of payment, be presented to the Royal African Company by Squire Bence and Benjamin Hinton, demanding payment of said sum of 12,527*l.* 4*s.* 4*d.* The clause of the lease that within one month of said appraisement the money shall be paid by the Royal Company. Answer of the Court of Assistants of the Royal African Company, "That at present the accounts are under examination, and so can give no further answer." 1 *p.* [*Col. Papers, Vol. XLII., No.* 142.]

Nov. 5 & 6. St. John's (Antigua). **823.** Minutes of the Council of Antigua. Present, the Governor, Council, and Assembly. Ordered, that the book of patents belonging to the Registrar's Office be transcribed and a good book provided for that purpose, and that the Acts for resettling the island, and confirmation of all titles of land, be entered in the frontispiece.

Nov. 6. Ordered, That a day of thanksgiving for deliverances be held on the 21st instant, and that the 10th of June be annually kept as a fast and day of humiliation that it may please God to avert them. That an agreement be made by some of the Assembly with a surveyor for drawing a map of the island. Ordered by the Governor, That the Assembly be dissolved. ½ *p.* [*Col. Papers, Vol. XXV., No.* 55*, *p.* 762.]

Nov. 6. St. Christopher's. **824.** Minutes of the Council of St. Christopher's. Proposed by the Governor that Lieutenant-Colonel John Estridge go to Governor St. Laurens, and complain of the many injuries and abuses the English daily receive from the French and their negroes while going about their lawful occasions. [*Col. Papers, Vol. XXVIII., No.* 69, *p.* 27.]

Nov. $\frac{10}{20}$. Barbadoes. **825.** Governor Sir Jonathan Atkins to Lords of Trade and Plantations. Their letter of 14th April 1676 came not to his hand until July 1678, "and 'tis often so here," more than twenty weeks

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since any ship arrived from London. Has made return of all laws since he came Governor. Remarks on the object of passing some of them. Two years ago sent the laws since made. The people conceive that, until His Majesty confirm or reject the laws presented to him, that they continue to be laws, for 'tis a dangerous thing to leave them without laws, they having never yet been governed but by laws of their own making. Ill effects of waiting for their confirmation, inevitable ruin may fall upon the place. The Assembly seldom sets long. Now in time of the great noise of war are preparing for their defence. Neither press nor clerks here to transcribe the laws, so could not be sent sooner. The people very jealous of their laws, apprehending that, if they were taken away, their proprietors might follow them. When a law is made and published, which is done in every church in the island the Sunday after the confirmation, none observe them or obey them better than these people, the Quakers excepted, who oppose all that concerns the Church or State, and they are so well acquainted with them, keeping copies of them. Death of Samuel Farmer and John Sparkes, of the Council. Sir Peter Colleton has been away three years, and Colonel Willoughby, now Lord [Charles] Willoughby, returned to England, so can hardly make a Council, Wardell being an ancient gentleman and sometimes not able to attend, and without the quorum of seven no order can pass. Has sworn Richard Howell a Member, and represented to Secretary Coventry three others, Colonel Codrington, once Deputy Governor, William Bates, and William Sharpe. Others may deserve well, but none very desirous to be of the Council, for 'tis a great burden to attend every month and neglect their own charge. *Endorsed*, "Rec. 20 Feb. 1679 with the laws by Capt. John Price." 3 *pp.* *Annexed*,

825. I. The titles of the Twenty-seven laws transmitted by Governor Atkins made in March, July, October, and December 1677, and in January, March, April, May, and October 1678. [*Col. Papers, Vol. XLII., No.* 143, *and Col. Entry Bks., Vol. VI., pp.* 238–249.]

Nov. 14. Barbadoes. **826.** Governor Atkins to [William Blathwayt ?]. Has sent the laws for the last two years directed to Sir Robert Southwell; the rest are being transcribed as fast as possible, but are so many that the books will be little less than the Statutes of England, and only one clerk can write at a time; the Secretary says with the best industry it will be Christmas before they are finished. 1 *p.* [*Col. Papers, Vol. XLII., No.* 144.]

Nov. 15. St. Jago de la Vega. **827.** Governor Lord Carlisle to Lords of Trade and Plantations Has thoroughly considered what would most conduce to His Majesty's service in this place, and has sent Mr. Atkinson who was Secretary to Sir Thomas Lynch and Lord Vaughan, and is perfectly able to satisfy their Lordships in anything they may desire. Finds the present form appointed for making and passing laws very impracticable besides very distasteful to the sense of the people

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here. Begs His Majesty's instruction to call another Assembly and re-enact and make what laws are fit for this place. Has sent the drafts of such bills as are fundamental and he will not in any material point vary from them. Shall then be enabled to settle everything upon so good a foundation that neither His Majesty nor their Lordships will ever repent of having made any deference to his opinion. Much of the success depends upon despatch

Nov. 25. Since writing the above Mr. Atkinson is dead. Must desire his brother Sir Philip Howard and Sir Thomas Lynch to attend their Lordships. "Rec. 24th. Read in Council 28 Feb. 1679." [*Col. Papers, Vol. XLIV., No.* 145, *and Col. Entry Bk., Vol. XXIX., pp.* 273, 274.]

Nov. 22. **828.** Journal of Lords of Trade and Plantations. In pursuance of an Order in Council for adjusting the price of the seal of the Leeward Isles sent by Mr. Harris, and after reading report from Mr. Slingesby for appraising same, referred to him by Mr. Chancellor of the Exchequer, agreed that Harris be paid 100*l.* for the silver cutting and other charges, with which the Lord Treasurer concurred.

Their Lordships think fit that Governor Atkins be directed to send all the Barbadoes laws authenticated in the best manner under the seal of the island; which was done by letter dated 25th instant. [*Col. Entry Bk., Vol. CV., p.* 268.]

Nov. 25. Council Chamber. **829.** Sir Philip Lloyd to Governor Atkins. The Lords of Trade and Plantations are very glad to hear the laws are in such forwardness, and desire that all the laws in force be sent to them authenticated in the best manner, with the seal of the island affixed, like the two laws formerly sent concerning the estates of Plumley and Middleton. [*Col. Entry Bk., Vol. VI., pp.* 237, 238, *and Vol. CV., p.* 268.]

Nov. 25. Jamaica. **830.** Governor Lord Carlisle to Secretary Williamson. Sudden death of Mr. Atkinson whom he had designed to inform the King and Council of some things of importance relating to this island. In his letters to Secretary Coventry and the writer's brother Phil. Howard, Williamson will find a full account of these matters. Has directed a quantity of double refined sugar to him; 'tis good in itself though deficient in colour, and is the first made upon this island since his arrival. 1 *p.* [*Col. Papers, Vol. XLII., No.* 146.]

Nov. 26. Whitehall. **831.** The King to Governor Sir Jonathan Atkins. We have taken special notice of Sir Robert Hacket as a person well qualified to be of the Council of Barbadoes, not only in regard of a considerable estate he hath acquired there, and his long experience in the affairs of that island, but also of the great constant loyalty of his relations, particularly his brother Colonel Richard Hacket, and we hereby require you forthwith to swear and admit him a Member of said Council. [*Col. Entry Bk., Vol. CX., p.* 138.]

Nov. 26. St. Jago de la Vega. **832.** Governor Lord Carlisle to [Sir Robert Southwell?] Sends six Bills which most immediately appertain to the King's prerogative and interest in this island, which were all delivered to

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Charles Atkinson, late Secretary to Sir Thomas Lynch and Lord Vaughan, but he was taken ill and died in three days on 16th inst. None so fit as he was to have given every information about the island, therefore has desired Sir Thomas Lynch to attend him in that affair. Agrees with the Assembly that the distance of this place renders the manner prescribed in passing laws impracticable. Prays His Majesty to send him an instruction for calling another Assembly to re-enact laws municipal and fit for the island, which will so gratify the people that he will be able to settle everything upon a good foundation. Has written to his brother Sir Philip Howard to attend him. Has sent him a little box of double refined sugar. Has an Order from the King of Spain to the Governor of the Havanna for setting at liberty all English prisoners, and particularly Mr. Wingford, with which Governor Lord Carlisle sends H.M.S. Hunter. "Rec. from Mr. Attorney-General 20 Mar. 1679." 2 *pp.* [*Col. Papers, Vol. XLII., No.* 147.]

Nov. 26. **833.** Bills sent by Lord Carlisle, Governor of Jamaica, to Mr. Secretary Coventry, viz.: For the public revenue, for speedy collecting the quit rents, for the militia, for regulating courts of justice, for ministers and the poor, and for prevention of law suits, with Mr. Attorney-General's opinion thereon. 1 *p.* [*Col. Papers, Vol. XLII., No.* 148.]

Nov. 26. **834.** Minutes of the Council of Barbadoes. Samuel Farmer and John Sparkes were not present (*see Governor Atkins' letter, ante No.* 825). Richard Howell took the oaths and his place in the Council. The Speaker of the Assembly prescribed two papers, one concerning the Militia and the other for allowance to Colonel Bate in passing his accounts. Ordered that Proclamation be forthwith issued restraining the importation of bad and light money to be published with due solemnity in the four seaport towns of this island. [*Col. Entry Bk., Vol. XI., pp.* 299–300.]

Nov 26. **835.** Journal of Assembly of Barbadoes. Ordered on petition of Colonel William Bate, late Treasurer, that he be allowed to reduce his money account, wherein he stands charged to the country, into sugar, at the rate of 12*s.* 6*d.* per cent. and not exceeding 1,000*l.* sterling, and the Committee for settling the public accounts are directed to allow the same accordingly. Ordered that the Committee do meet for inspecting the Acts of the Militia and for preparing Amendments. Adjourned to 1st. January next. [*Col. Entry Bk., Vol. XIII., p.* 328.]

Nov. 27. Newport. Rhode Island. **836.** Governor John Cranston to the King. Encloses returns on Mr. Harris's case [*see ante No.* 810 I.]. Prays protection against intruders on the lands of the colony. [*Col. Entry Bk., Vol. LX., pp.* 344–346.]

Dec. 4. **837.** Representation of Randall Holden and John Greene to the King. Recapitulate the title of Rhode Island to the Narragansett

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country and complain of the aggressions of Massachussetts, Connecticut, and Plymouth, and more particularly that in June last, some of the Massachusetts Magistrates with other of that colony as Commissioners, have publicly set up in several places of New England printed papers declaring the Narragansett country to belong to them with offers to make sale of the lands and do dispose the Government to Connecticut. Represent this to the King that he may give some redress to this growing evil. *Signed by* Randall Holden and John Greene. *Underwritten*, "Read in Council 4 Dec. 1678." *Enclosed*,

837. I. "An Advertisement touching the Narrhaganset and Niantick countries." Very pleasant and fertile, fit and commodious for plantation. The true legal right belongs to certain gentlemen in New England, the most part dwelling within the Massachusetts colony by purchase from the chief Sachems, the sole proprietors, as was allowed by the Honoured Commissioners of the united colonies and recorded in the Book of Records for Connecticut, under which government the land lieth. These are therefore to certify that all Christian people that are willing to settle themselves in a regular way of townships on said lands may apply to the subscribers hereof in Boston who have been chosen by the proprietors a Committee to act in any of their concerns touching the premises. *Signed by* Simon Bradstreet, John Saffin, and Elisha Hutchinson. *Endorsed*, "Advertisement concerning the lands of the King's province." *Printed.* Boston, 1678, July 30. [*Col. Papers, Vol. XLII., Nos.* 149, 149 I.]

Dec. 4. **838.** Order of the King in Council on Petition of Randall Holden and John Greene. That a copy of the printed advertisement be sent to the Massachusetts agents who are directed to attend His Majesty in Council on Fridry the 6th instant, and to show by what authority the claimants pretend to the lands mentioned in the paper, and also to inform the Board what obedience has been rendered to His Majesty's letter of 27th April 1678 enjoining the administering of the oath of allegiance. [*Col. Entry Bk., Vol. LX., pp.* 295, 296.]

Dec. 4. **839.** Copy of preceding Order, adding that there have been read two letters from Sir E. Andros to William Blathwayt of 16th September and 12th October last, mentioning their unjust pretensions to New York and enclosing the printed paper. The date of the King's letter is given as 8th April instead of 27th. [*Col. Entry Bk., Vol. CV., p.* 269.]

Dec. 6. Whitehall. **840.** Journal of Lords of Trade and Plantations. Order of Council of 30th October read (*see ante No.* 820) and Lord Carlisle's letter of 14th August (*see ante No.* 779) being also read. Agreed to report, That the clause in the Militia Bill whereby the Govern-

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ment is to act according to powers given by His Majesty's Commissioners remain unaltered, it being the undoubted right of His Majesty to dispose of the Militia as he shall think fit. As to the proposal for a mint to be established in Jamaica, ordered that it be referred to the officers of the Mint to report what may be convenient for His Majesty's service. A letter to this effect was accordingly written to the Warden and Officers of the Mint.

The Agents of Boston attend. Secretary Williamson presents two letters from Governor Leverett of 25th August and 15th October intimating that the Governor, Council, and General Court had taken the Oath of Allegiance enjoined by His Majesty's letters of 8th April. A return of the Court on William Harris's case, pursuant to His Majesty's commands of 4th August 1675, being enclosed in the letter of 15th October, their Lordships think fit that a copy of this return should be given to the Warwick deputies who are concerned therein. [*Col. Entry Bk., Vol. CV., pp.* 270, 271.]

Dec. 6. Whitehall. **841.** Sir Philip Lloyd to the Warden and Officers of His Majesty's Mint. The Lords of Trade and Plantations have received a proposal from Jamaica to erect and establish a mint there, with power to make coins of gold and silver or other convenient metals, and to set such a value thereon "as shall be thought most agreeable to the interest and occasions of that island." Their Lordships desire their report on said proposal, and whether same be convenient for His Majesty's service, and under what restrictions it may be safely allowed and regulated. Such coin shall be only current in that island. [*Col. Entry Bk., Vol. XXIX., pp.* 248, 249.]

Dec. 8. Whitehall. **842.** Lords of Trade and Plantations to Governor Stapleton. Acknowledges receipt of a box with his letters and other papers (*see ante Nos.*741, 741 I.–XVII.), but by reason of this extraordinary conjuncture no leisure has yet been found for their perusal, but he will now receive the seal. Concerning the laws, it will be necessary for him to transmit an entire collection of all laws in force throughout his Government, and that he affix the seal to them. His complaint of Captain Haddock has been made known to His Majesty in Council and referred to the Admiralty. [*Col. Entry Bks., Vol. XLVI., pp.* 328, 329, *and Vol. CV., p.* 371.]

Dec. $\frac{1}{2}\frac{0}{0}$. Barbadoes. **843.** Governor Atkins to Lords of Trade and Plantations. Not one ship from London has arrived from London for twenty months, which often happens. Has sent all the laws made since he was Governor according to the time limited of two years. If he has no advice of His Majesty's resolution, shall we be without laws, and how will the people be governed? By their laws they are easy and submissive, but without them the most stubborn, for they have the arms in their own hands. He has not a soldier in the King's pay, nor is the King at one penny charge with this island. We are not without apprehension as you are in Europe. If Monsieur Gabaret, who, he hears, is coming into these parts, "intend me," doubts not to give him a greater rap of the fingers than his predecessor had,

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for they are well provided for him. 1 *p.* [*Col. Papers, Vol. XLII., No.* 150; *also Col. Entry Bk., Vol. VI., pp.* 249–251.]

Dec. 13. Whitehall. **844.** Order of the King in Council concerning the King's Province. After hearing Bulkeley and Stoughton, the Massachusetts Agents, who were directed to show by what authority or title certain persons within that Corporation have laid claim to the lands of Narragansett and Nantiack countries, otherwise called the King's Province, and also Randal Holden and John Greene, Deputies of the town of Warwick, who by petition had given His Majesty information of their pretension and of His Majesty's right both to the sovereignty and propriety of that country, the Massachusetts alleged their Government do not meddle with this claim, but only some inhabitants who had purchased their lands from the Indian Sachems, to which Holden asserts as of his certain knowledge, having been an inhabitant of that country above forty years, that never any legal purchase had been made from the Indians, and that it is contrary to the known laws of all the Colonies, whereby no man is permitted to purchase any lands of any Indian without the Colony where he is dwelling without leave from the magistrates of the Colony within which the lands do lie. He also presents several papers in support of his arguments. Whereupon His Majesty ordered that letters be sent to Massachusetts and all the Colonies in New England, requiring them to leave all things relating to the King's Province in the same posture it now is as to the possession and government, and to give them to understand that the absolute sovereignty and particular propriety of all that country is vested in His Majesty by the surrender of the Sachems, and that no further settlement be there made upon any title whatsoever until those who pretend any claim have made out their title, and that they send over persons duly instructed to make the same appear, or in default His Majesty will give order for the government and settlement of said Province. [*Col. Entry Bks., Vol. LX., pp.* 308–311, *and Vol. CV., pp.* 272–275.]

Dec. 13. **845.** Colonel Francis Moryson to [William Blathwayt]. Has advice that Colonel Rowland Place is lately arrived from Virginia. He is the gentleman Governor Jeffreys mentions as able to give a true information of all transactions in Virginia since the Commssioners' coming away (*see ante No.* 758). He is one of the Council and a very honest gentleman. Conceives it necessary for the King's service to have a true prospect into the affairs there before Lord Culpeper goes. Wishes him to defer giving in the papers, viz. the Queen [of Pamunkey]'s letter and complaint, the Governor's deposition concerning the denial of His Majesty's letter in the case of Bird, and the Interpreter's letter. 1 *p.* [*Col. Papers Vol. XLII., No.* 151.]

Dec. 13. **846.** Journal of Lords of Trade and Plantations. Proposals received from Lord Culpeper in reference to the Governor of Virginia (read on 14th December), "in pursuance of His Majesty's commands," with marginal notes. Some of the articles are "Agreed" (*see Orders of 14th and 20th December* 1678). These

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heads were delivered in January 1677(–8) to Mr. Secretary Coventry and read at the Committee of Foreign Affairs in May last, but, by reason of my Lord Treasurer's absence, nothing done. But on the 11th August, after a full debate upon every one, it was resolved as in the margin, and so set down by Mr. Secretary. Some lesser points were then also agreed. [*Col. Papers, Vol. XLII., No.* 152, *and Col. Entry Bk., Vol. LXXX., pp.* 258–263.]

Dec. 14. Whitehall. **847.** Journal of Lords of Trade and Plantations. Letter read from Colonel Jeffreys to Colonel Moryson of 10th July last, also a deposition taken in Virginia concerning Captain Bird, with letter from Colonel Moryson to Mr. Blathwayt of 13th December instant, to be considered when Colonel Rowland Place, lately come from Virginia, shall give his attendance on Tuesday next. Secretary Coventry signifies His Majesty's pleasure that their Lordships take into consideration Lord Culpeper's despatch, which contains several heads relating to his Government of Virginia upon which orders are made, viz. in reference to the Establishment (military) in Virginia, the building of a fort and towns on each great river, laws to be sent over, Acts for the Revenue and of Indemnity, the payment of soldiers, patentees of lands, security of homeward bound merchant ships, and the drawing up by the Attorney General of a Proclamation and General Act of Indemnity. [*Col. Entry Bk., Vol. CV., pp.* 275–278.]

Dec. 16. Whitehall. **848.** Journal of Lords of Trade and Plantations. Mr. Slingesby attends concerning the proposal for erecting a mint in Jamaica referred to the officers of His Majesty's Mint, and desires to peruse entries in the Council Books of 1661 touching a mint for Ireland, and to be informed of the present state of Jamaica; their Lordships think fit that Lord Vaughan and some merchants trading to Jamaica be summoned to attend, and in the meantime Mr. Slingesby may peruse the entries he desires.

The difference between Colonel Stapleton and the Admiralty of Holland touching negroes carried off Tobago by the Quaker, ketch, in Jamaica upon the defeat of the Dutch by the French; letter from Colonel Stapleton and memorial of the Dutch Ambassador are read. Counsel on behalf of the Dutch Admiralty and Mr. Freeman and Counsel on behalf of Colonel Stapleton are heard at length. The parties being withdrawn, their Lordships, after debate, resolve to report to His Majesty that six months be allowed Colonel Stapleton to make answer to the Dutch claim to the negroes which His Majesty granted him in free gift, and in the meantime that Colonel Stapleton's agent give 1,500*l.* security in the High Court of Admiralty to answer further process and to make good the negroes claimed, and that their Lordships may be ordered to write immediately to Colonel Stapleton thereon, and require his speedy answer. [*Col. Entry Bk., Vol. CV., pp.* 279–282.]

[Dec. 16.] **849.** Papers concerning the difference between Governor Stapleton and the Admiralty of Holland about certain negroes carried from Tobago to the Leeward Islands. The King's grant of his right and title to said negroes to Governor Stapleton, and that

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he may dispose of them as of His Majesty's free gift. Westminster, 1678, April 12. *Annexed,*

849. I. Johan Van Wachtendonck, Commissary for the United Netherlands, to the King. Encloses Memorial from the Ambassador of the States General, of 28th March last, and prays for a speedy answer.

849. II. The above Memorial to the King. (*See ante, No.* 638.)

849. III. Depositions of Jan Hessen and Daniel Rosens in reference to the taking of said Negroes at Tobago, and their being conveyed to Nevis by the Quaker, ketch. 1678, April 12. *Together three papers.* [*Col. Papers, Vol. XLII., Nos.* 153 I., II., III., *and Col. Entry Bk., Vol. XLVI., pp.* 330–334.]

Dec. 17. Whitehall. **850.** The King to Thomas Lord Culpeper, Governor Herbert Jeffreys, Lieutenant-Governor and the Council of Virginia. To permit Ralph Williamson or his assigns to land and dispose of fifty-two convicted persons of Scotland, sentenced to be transported to our English plantations and such others as shall be convicted in Scotland and sentenced to be transported and delivered into Williamson's custody, without hindrance or molestation, any law, order, or custom of Virginia to the contrary notwithstanding. [*Col. Entry Bk., Vol. XCV., p.* 166.]

Dec. 20. (Whitehall). **851.** Order of the King in Council. That the Earl of Danby, Lord High Treasurer, forthwith take care that an establishment be made for the Lord Culpeper and others employed in the Government of Virginia, as also for the two foot companies in the like manner and proportion as is already settled for Jamaica, and that his Lordship provide a fund for same. [*Col. Entry Bk., Vol. LXXX., p.* 263.]

Dec. 20. Whitehall. **852.** Journal of Lords of Trade and Plantations. In reference to a report to be presented to His Majesty upon the several heads of Lord Culpeper's paper about the establishment in Virginia "it being a Colony of greater extent (than Jamaica) and more advantage in point of the customs and yearly revenue to the Crown;" the quitrents of Virginia; the settlement of towns upon each great river; the laws agreed to be immediately transmitted to Virginia; the payment of soldiers; the patents granted to Lords Arlington and Culpeper; and the departure of ships from Virginia. [*Col. Entry Bk., Vol. CV., pp.* 283–285.]

Dec. 20. **853.** Petition of Randall Holden to the King. Was about 40 years since, with divers others of Rhode Island seised upon by the Massachusetts and carried captive to Boston, where he was committed to prison and most barbarously used, being laid in irons a whole winter, and there made to work for his living, and when that government had nothing to lay to his charge he was banished out of their jurisdiction, as appears by the annexed order of their Court. Being on return home, and not knowing but that by distress of weather and other exigents he may be forced into the Massachusetts jurisdiction, prays the King to command the said magistrates to repeal the order of banishment. *Signed. Endorsed,*

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"Read in Council 20 Dec. 1678." 1 *p.* [*Col. Papers, Vol. XLII., No.* 154.]

Dec. 20. Whitehall.

854. Order of the King in Council on above Petition of Randall Holden. That Petitioner and all others banished with him receive the King's pass and protection with the signification of His Majesty's displeasure for the proceedings of the Massachusetts against them, and his orders for repealing the order of banishment passed at the General Court of Boston against Holden and the rest of that Company. [*Col. Entry Bks., Vol. LX., pp.* 312–315, *and Vol. CV., pp.* 285–286.]

Dec. 21. Whitehall.

855. Journal of the Lords of Trade and Plantations. That Lord Culpeper propose to the Committee such heads as he shall think fit to be inserted in his Commission and Instructions. And that in the mean time a draft of such Commission and Instructions be prepared for their Lordships' view, and the Commission and Instructions formerly given to the Governors of Virginia, as also those to the Earl of Carlisle be made use of as far as it is proper herein. [*Col. Entry Bk., Vol. CV., pp.* 286, 287.]

Dec. 24. Whitehall.

856. Order of the King in Council. Approving Report of Lords of Trade and Plantations, of 16th December last (*see ante, No.* 848) and directing William Freeman to give security for 1,500*l.*, to be entered in His Majesty's High Court of Admiralty; also that their Lordships write to Governor Stapleton requiring his answer and proofs within six months allotted him for his defence. *Also,* The Letter from the Lords of Trade and Plantations to Governor Stapleton above referred to. Whitehall, 1679, January 24. [*Col. Papers, Vol. XLII., No.* 155, *and Col. Entry Bk., Vol. XLVI., pp.* 335–340.]

857. Abstract of the records of all grants of land that have been made in South Carolina in the year 1678 in continuation of those abstracted in 1677, *see ante No.* 547.

Persons Names to whom granted.	Number of Acres.	In what County, Parish, or Township, or in what River or Creek situated.	Date of Grant.
John Manley - -	370	On Ashley River -	2 November 1678.
Charles Harleston - -	100	On Wandoe River -	22 March 1678.
John Cumins - -	740	On Wandoe River -	22 February 1678.
Thomas Clouter - -	200	On Cooper River -	21 June 1678.
Thomas Dickerson - -	200	On Cooper River -	21 February 1678.
Mary Benson - -	Town lot	No. 47 - -	18 November 1678.
Hamlett Kemp - -	Town lot	- - -	18 November 1678.
Philip Braidy - -	70	- - -	15 June 1678.
Richard Hill - - -	100	On Stono River -	20 April 1678.

[*Col. Entry Bk., Vol. XXIII., pp.* 1–4.]

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858. Journal of the Lords of Trade and Plantations. Read, Answer of the Warwick Deputies to the return in William Harris's case, representing that if their business were again referred to the Massachusetts and other Colonies they would be ruined by the extraordinary charge, and stand in great danger of being condemned by the malice of their declared enemies, the Massachusetts. Their Lordships, taking notice that by the disagreement of the Commissioners the whole matter is referred to His Majesty's final determination, agree to report that William Harris, having laid claim to no other lands than those of Patuxet, and the Deputies being only concerned for those of Warwick, the inhabitants of Warwick be not disturbed in the possession of their lands till Harris or his partners make out their title before His Majesty in Council. *Mem.*—At a meeting of the Council Chamber on the 15th instant, Mr. Mason's petition concerning his pretensions in New England is ordered to be sent to the Agents of Boston to make answer thereunto. 2 *pp.* [*Col. Entry Bk., Vol. CV., p.* 289.]

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859. Governor Stapleton to Lords of Trade and Plantations. I hoped before this to have reported a conference with the French General respecting some misunderstandings betwixt the subjects of both Crowns in their respective garrisons of St. Christopher's, occasioned altogether by the French soldiers and customers who interrupted His Majesty's subjects in the carriage of their goods to the English quarter to windward of the Island, contrary to all ancient and late Articles. The difference is not come to any height, only the Deputy Governors of both sides and the National Commissioners cannot or will not compose it or redress the parties aggrieved until we meet; and that cannot be these two months, for the French frigates (for which the French Governor waits) which are designed for the guard of their islands do not sail from Europe till the beginning of this January. Six men-of-war arrived at Martinique, but were sent to recover the guns lost in the wreck of Count d'Estrées fleet at Aves. It is supposed that the Dutch from Curaçoa have been beforehand with them for some of the ordnance. I would suggest that your Lordships should order all ships trading hither to bring out for sale ten or twelve firearms, each ship's master or merchant, of 20 or 25 shillings price apiece, and a dozen swords. This will check the expense to His Majesty of transporting arms hither and the importunities of his subjects to be supplied, and will in two years arm the naked and supply all

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decayed arms. *Read in Council*, 20 March 1679. [*Col. Papers, Vol. XLIII., No.* 1, *and Col. Entry Bk., Vol. XLVI., p.* 340.]

Jan. 15. **860.** Answer of Edward Randolph to the question of the King in Council concerning the disadvantage arising to inhabitants of the Massachusetts Colony who are conformable to the Church of England. They have not the free exercise of their religion, being constrained under a fine to attend their Congregational meetings as by law. They are not admitted to be freemen nor capable of being elected to the magistracy; no person, belonging to a Church gathered without the approbation of the Magistrates and of the Churches, being admitted to the freedom of the Commonwealth. It is therefore prayed that, till the further settlement of the Colony is decided upon, the Massachusetts and other Colonies be directed to admit to the freedom all persons declaring to the next magistrate their conformity to the Church of England and having taken the Oath of Allegiance; that they be exempted from the obligation to come to the Independent churches, and that all Ministers have liberty to read divine service and administer the Sacraments according to the rites of the Church of England. *On the margin* a reference, dated 15 Jan. 167$\frac{8}{9}$, to the Committee of Trade and Plantations, signed Robert Southwell. *Superscribed*, "Read at Com^{tee} 6 Feb. 1678." 1 *p.* [*Col. Papers, Vol. XLIII., No.* 2.]

Jan. 15. Council Chamber. **861.** Secretary to Lords of Trade and Plantations to the Agents for New England. Forwards a letter from Mr. Mason for their report, and requests in particular information in writing as to how far the northern bounds of their Colony extend either as to soil or Government or both. *Draft* in the handwriting of William Blathwayt. *Enclosed*,

861. I. Petition of Robert Mason to Lords of Trade and Plantations. Setting forth that he is the sole and lawful proprietor of New Hampshire, a tract of about thirty miles between the Merrimac and Piscatawa rivers, many years since usurped by the Government of Massachusetts under pretence of a grant from King Charles I. Prays that the Agents of Massachusetts be required to state in writing what lands they pretend to have right unto in New Hampshire, and that a time may be appointed for them and petitioner to wait on their Lordships. [*Col. Papers, Vol. XLIII., Nos.* 3, 3 I.; *copy of letter, Col. Entry Bk., Vol. LX., p.* 317.]

Jan. 20. Whitehall. **862.** The Duke of Monmouth to Lords of Trade and Plantations. Furnishes, in compliance with Order in Council of 15th May last (*see ante, No.* 700), estimate of charge for 1,000 soldiers in ten companies for one year, with arms and ammunition and cost of transport to Leeward Islands, as certified by the Master of the

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Ordnance and the Commissioners of the Navy. The cost of raising the men cannot so certainly be computed; would suggest 12*d.* per man listing money, and each soldier to be entertained in the King's pay from the day of his listing; officers, commissioned and non-commissioned, to receive pay from the time when they muster fifty soldiers in their respective companies; a short day certain to be fixed whereby the captains shall complete their companies; vessels to be ready to transport them; clothes to be bespoke for the men as soon as it is resolved to raise them, such clothes to be paid for by the usual deduction of 2*d. per diem* to each man. *Signed*, Monmouth. Recd. 20 Jan. 1678–79. *Annexed*,

862. I. Estimate of charge for 1,000 soldiers and officers in ten companies:—

	£	*s.*	*d.*	
Ten captains at 8*s.* per day each -	4	0	0	*per diem.*
Ten lieutenants at 4*s.* per day each - - - -	2	0	0	„
Ten ensigns at 3*s.* per day each -	1	10	0	„
Thirty sergeants at 18*d.* per day each - - - -	4	5	0	„
Thirty corporals at 12*d.* per day each - - - -	1	10	0	„
Twenty drummers at 12*d.* per day each - - - -	1	0	0	„
1,000 privates at 8*d.* per day each	33	6	8	„
	45	11	8	„

	£	*s.*	*d.*
Charge per month, 30 days -	1,367	10	0
„ year, 365 days -	16,637	18	4

If the companies be regimented, there will be additional cost for field and staff officers as follows:—

	£	*s.*	*d.*	
Colonel, per day - -	0	12	0	
Lieutenant-Colonel, per day -	0	7	0	
Major, per day - -	0	5	0	
Aid Major, per day - -	0	4	0	
Quarter Master, per day -	0	4	0	
Chaplain - - -	0	6	8	
Chirurgeon - -	0	6	8	
Chirurgeon's Mate -	0	2	6	
Or -	2	7	10	per day.
	71	15	0	per month.
	872	19	2	per year.

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The charge of ten companies regimented will be :—

	£	s.	d.
Per day - - -	47	19	6
„ month - - -	1,439	5	0
„ year - - -	17,510	17	6

Received from the Duke of Monmouth 20th January 1679.

862. II. Estimate of charge of arms for 1,000 soldiers in ten companies with one year's ammunition :—

	£	s.	d.
Muskets, 667 at 16*s.* apiece - -	533	12	0
Pikes, 333 at 4*s.* 6*d.* apiece - -	74	18	6
Bandoliers, 667 at 2*s.* 4*d.* apiece - -	77	16	4
Partisans, 10 at 10*s.* apiece - -	5	0	0
Halberds, 30 at 8*s.* apiece - -	12	0	0
Drums, 20 at 25*s.* apiece - -	25	0	0
Corn-powder, 60 barrels, at 3*l.* 2*s.* 6*d.* a barrel - - - -	187	10	0
Match, 60 lbs. at 1*l.* 9*s.* per lb. - -	87	0	0
Musket shot, 60 lbs. at 1*l.* 1*s.* per lb. -	63	0	0
	1,065	16	10
An officer to take charge thereof, per annum - - - -	60	0	0
Cost of transportation, &c. - - -	80	0	0
Total - - - -	1,145	16	10

Signed, Jonas Moore, Edward Sherburne.

862. III. Estimate of cost of transporting 1,000 soldiers in ten companies from England to the Leeward Islands, including all provisions necessary both for officers and soldiers during their passage :—

Passage, victualling, and landing expenses are reckoned at 5*l.* 10*s.* per man. *Total*, 5,500*l.*

Allowance to surgeons for care of men during the voyage, "the usual allowance," 2*s.* 6*d.* per man. *Total*, 125*l.*

Allowance to the men on the voyage :—500 gallons of brandy, 80 bushels of oatmeal, 5 cwt. of currants, 2½ cwt. of sugar. *Total*, 148*l.* 10*s.*

One thousand "hamaccoes" and as many rugs for the men. *Total*, 283*l.* 6*s.* 8*d.*

Grand total, 6,056*l.* 16*s.* 8*d.*

Dated Navy Office, 15 June 1678.

Signed, J. Tippetts, R. Haddock, A. Deane, Tho. Hayter. [*Col. Papers, Vol. XLIII., Nos.* 4, 4 I.–III. ; *and Col. Entry Book, Vol. XLVI., pp.* 384–388.]

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Jan. 20. Montserrat. **863.** Governor Stapleton to Lords of Trade and Plantations. Comes as a humble suppliant for defence against a claim made on him by the Dutch Agent for some negroes brought to Montserrat from Tobago in the King's ketch, half whereof were sold by the captain. Begs their Lordships to consider his own title to the negroes, viz. (1.) His Majesty's gracious grant under the Privy Seal for the negroes. (2.) Two successive possessions of hostility, the one by the French of the island, who remained there after the fort was blown up 15 days to rase and level the rest of the fortifications, the other of the heathen Indians after the French; they carried away some negroes, and would have carried these too if His Majesty's ketch had not been there. (3.) There being no Dutch Commission upon the land, Stapleton trusts their Lordships will not judge any *jus gentium* to give the States any title to the negroes, whereof some are really English negroes taken and retaken, while others have proved their freedom *ab origine*, and are really set free by himself. Stapleton finally begs for the payment of his arrears in Sir Tobias Bridge's regiment, and for some consideration for contingent expenses. *Inscribed*, "Concerning the Tobago negroes and his arrears in Sir Tobias Bridge's Regiment." *Received* 29 April 1679. [*Col. Papers, Vol. XLIII., No. 5, and Col. Entry Bk., Vol. XLVI., p.* 353.]

Jan. 21–23. **864.** Journal of the Assembly of Barbadoes. Colonel Richard Guy chosen Speaker, and took the chair. Voted that the removing the Court of Common Pleas from Austin's Town is a violation of the law.

Jan. 22. Several Acts, the titles of which are given, being near expired, Ordered that a Bill be drawn to continue said Acts some further time. The Bill was read and passed unanimously, as was also, on petition of Richard Forstall, a Bill for continuing an Act to enable the executors of Richard Plumley, deceased, to sell his estate for payment of his debts. Ordered, that John Hallett, Treasurer, pay the salaries due to the gunners and others at Charles, James, and Willoughby forts. Also that he ship thirty butts of muscovado sugar to Colonel Henry Drax and Sir Peter Colleton in London to make use of for the benefit of the island. Having sent for the Treasurer it was found that the fund on which this thirty butts of sugar is laid is all expended, therefore to think upon some other expedient for raising a fund for the uses mentioned. Act for raising a levy to defray the charge of building, rebuilding, and finishing the several fortifications and breastworks, and other public occasions passed unanimously. It was agreed on debate that the levy should be two pounds of sugar per acre upon land, five pounds of sugar per head upon negroes, with a levy upon the towns and traders in the Island. The Assembly, having deep resentment of the horrid and hellish plot, contrived and carried on by Popish recusants against the life of the King to the subversion of the Government and the Protestant religion, move his Excellency and Council that a day of fasting and humiliation be appointed to be solemnly kept, and that the test appointed by the Parliament

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in England, with the Oaths of Allegiance and Supremacy, be forthwith imposed upon all to whom power, place, office, or trust is committed. This address is well approved by His Excellency and Council, who recommend it to the Assembly to draw up an Act for administering said oaths, His Excellency resolving in due time to order a day of humiliation throughout the island. Ordered, that the Treasurer pay to John Higginbotham, Clerk of the Assembly, 10,000 lbs. of muscovado sugar for six months salary.

Jan. 23. An Act for the more effectual putting in execution a statute of England entitled "An Act for preventing dangers which may happen from Popish recusants," passed unanimously. Ordered, that Colonel William Bate and Major John Hallett be empowered to buy great guns and shot at reasonable prices for the use of the country, to be paid for out of the excise on liquors imported. Also that the Treasurer, as soon as the public stock will enable him, ship thirty butts of muscovado sugar out of that half of the excise reserved to public uses, and consign them to Sir Peter Colleton and Colonel Henry Drax in London to make use of for the benefit of this island. The Act for raising the levy above referred to, with amendments and additions passed unanimously. Ordered, that the Treasurer pay to John Forbes, their marshal, 1,500 pounds of muscovado sugar for six months salary. [*Col. Entry Bk., Vol. XIII., pp.* 329–385.]

Jan. 23. Whitehall. **865.** Journal of Lords of Trade and Plantations. On information of a ship going to Jamaica, Ordered, that Lord Carlisle be acquainted with the progress made upon his letter of August last concerning the clause in the Militia Bill and the erection of a mint, it being already agreed to advise that the Bill remain unaltered and that the matter of the mint be referred to the officers of the Mint. Mr. Slingesby to be quickened in furnishing his report on the Mint. [*Col. Entry Bk., Vol. CV., p.* 291.]

Jan. 24. Whitehall. **866.** Journal of Lords of Trade and Plantations. In reference to an examination (*continued from* 18*th December* 1677) of the grievances presented to His Majesty's late Commissioners by the people of Virginia: report agreed to be presented to His Majesty thereon. Draft of Commission for Lord Culpeper to be Governor of Virginia, read; several amendments agreed upon; five to be a quorum of Councillors instead of three, unless upon extraordinary occasions. [*Col. Entry Bk., Vol. CV., pp.* 292–294.]

Jan. 24. Whitehall. **867.** Order of the King in Council. On representation of the Commissary of the united provinces respecting the piratical seizure of the ship Sun, with cargo of 200 negroes, the property of the Dutch West India Company and of Balthazar de la Rue, by Captain James Brown, off the coast of Carthagena in 1677, some of which negroes were landed in Jamaica and sold by order of the Governor and Council, and the proceeds deposited for restitution to the right owner: Ordered, that the Committee for Trade and Plantations do examine the business and report to His Majesty in Council. *Signed*

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Robert Southwell. *Subscribed*, "Rec. 27 Jan. 1679. Read 10 Feb. 1679." [*Col. Papers, Vol. XLIII., No.* 6, *and Col. Entry Bk., Vol. XXIX., p.* 263.]

(Jan. 24.) **868.** Petition of John Crown, in behalf of his father, William Crown, to the King and Privy Council. In 1621, Sir William Alexander, Lord of Menstrie, Principal Secretary of State for Scotland, obtained from James I. a grant of New Scotland and Acady; in 1631 Lord Alexander granted this country to Sir Claud St. Stephen, Lord de la Tour, who in 1656 made over his right for 3,370*l.* to the petitioner's father and Sir Thomas Temple, who enjoyed the same till it was delivered to the French, whereby petitioner and his family have sustained almost utter ruin, to which for almost 12 years they have patiently submitted, never presuming to importune the King for compensation. There now being at the King's disposal a small tract of land in New England called Mounthope at present desolate and uninhabited, prays the King to bestow the same on him for the support of his parents and family. *Endorsed*, A reference to the Committee of Trade and Plantations. 24 Jan. 167$\frac{8}{9}$. 1 *p.* [*Col. Papers, Vol. XLIII., No.* 7.]

Jan. 26. St. Jago de la Vega. **869.** Governor Lord Carlisle to Secretary Coventry. Since 15th December I have had many complaints from Trist in the Bay of Campeachy of the disorders owing to want of some government for the security of life and property; which once secured would profit this Island and settle the logwood trade, without which England's interest in these parts will not be so duly improved nor Jamaica so well supported. I therefore beg that an early arrangement may be agreed on with the Spaniards who, if they will not grant us logwood, must of necessity expose their gold and silver to a number of English who are abroad and have nothing to live on but the logwood trade. Some few days since I wrote to one Captain Cook bound to Trist to inform himself among the inhabitants of some persons fit to undertake the government and of the allowance they can make for his support; and in this I beg for His Majesty's speedy directions. Some of the French in Hispaniola are very desirous to trade with Jamaica, and bring us cacao and moneys for the manufactures here of England. Without this trade, privately or publicly carried on, it will be hard to manage an inland trade in this Island, for all ships from Ireland, Bermudas, New England, and New York, laden with provisions, carry off ready money for them; and ready money is so scarce that unless we be relieved by private trade with the Spaniards our want thereof will be very great. The French have lately sacked Marrikey, Truxillo, and another town of the Spaniards in the Main, and brought off great booty to Petit Guavos in Hispaniola. A vessel from Surinam, lately driven here by stress of weather, brought us news of the Indians having cut off most of the English and Dutch remaining there, burnt all their canes and destroyed their sugars with their houses, coppers, stills, and provisions. The residue of the English would have embarked for this island but the new

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Governor Herr Heinsius would not permit one to stir, being with the Dutch forced into the castle for defence. The tediousness of the voyage is my reason for not sending a King's frigate to bring off the rest of the English that desire to be transported hither; but for this I want His Majesty's order (one frigate being gone to the Havanna for English prisoners); not being acquainted how affairs stand at home, I cannot forsee what employment I may have for the Jersey in her present station. The master's chief mate and four other men of the Jersey are in prison at Port Royal accused of sodomy, and will be tried for their lives on Tuesday next. I am in little pain with gout, but in much to hear from you in answer to my many letters. 3 *pp.* [*Col. Entry Bk., Vol. XXIX., p.* 286.]

Jan. 29. Council Chamber.

870. [William Blathwayt] to Agents of Warwick and Boston. The Lords of Trade and Plantations desire to be informed, with reference to Mr. Crown's petition for a grant of Mounthope (1) What is the area of Mounthope? (2) What is the present value of the land? (3) Whether there be any claim of propriety made thereto by any of the neighbouring corporations or the inhabitants thereof. 1 *p.* [*Col. Entry Bk., Vol. LX., p.* 318.]

Jan. 29. Falmouth [Antigua].

871. Minutes of the Council of Antigua. Present: Colonel James Vaughan, Governor, Captain Paul Lee, Captain John Cade, Captain William Thomas, John Parry, Colonel Rowland Williams, Lieutenant-Colonel Richard Ayres, Major Jeremiah Watkins, Captain Samuel Jones, and Captain Harvey Keynell. Ordered, that Colonel Philip Warner be Speaker of the new Assembly according to election. Ordered by the Council and Assembly that an augmentation of 4,000 lbs. of sugar or tobacco annually be made for the ministers, so that they receive 16,000 lbs. per annum; that a register of all burials and christenings be kept by the clerk of every parish, and that he have "a salary of 2,000 lbs. of sugar or tobacco therefore"; that the forts be repaired, and the duty on liquors set apart for that work; that an Act pass declaring all lands and houses in towns to be freeholds as lands in the country, provided it do not bring into question any past action touching the premises; that an Act pass obliging all persons that shall take up, or have taken up lands in the said towns, to build such houses as the Governor, Council, and Assembly shall appoint; that two of the Council and three of the Assembly forthwith go about viewing the Acts of this Island; that boats and men be pressed sufficient to aid the Surveyor in taking the map of the Island against the 10th February next. Names of "persons sworn to the Acts of Trade," viz., Captain Paul Lee and Major Jeremiah Watkins, Judges, John Ley, Secretary, John Gunthorp, Marshal Edward Dendy, and Aquila Stoughton, Deputy Secretaries. 1½ *pp.* [*Col. Papers, Vol. XXV., No.* 55*, *pp.* 762, 763.]

Jan. 31. Whitehall.

872. Order in Council on the Report of the Committee for Plantations concerning William Harris and the Warwick agents,

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The report describes at length the differences between Harris and Holden and Greene in behalf of Warwick; the complaint of the Warwick agents about the proceedings of the Commissioners with regard to Warwick; the report of Governor Leverett of 15th October; the answer of Holden and Greene thereto; and advises that commands may be given that the inhabitants of Warwick be not disturbed in the enjoyment of the lands claimed and possessed by them, and that all things relating thereto remain in the same state they were in before the meeting of the Commissioners, until Harris or his partners make out a sufficient title to the lands before His Majesty in Council. *Order* accordingly, that the inhabitants of Warwick be not disturbed, and that William Harris and his partners be peaceably possessed of Patuxet. 11 *pp.* [*Col. Entry Bk., Vol. LX., pp.* 319–329.]

[Jan. ?] **873.** Petition of Lieutenant Edward Rous to the King. Has long and faithfully served His Majesty and particularly in Virginia, where, during the sickness of the late Colonel Jeffreys and the disability of Sir William Berkeley, he had the chief care of the forces sent thither; but on his return, another was made (contrary to the usual practice) Captain of the Company whereof he was Lieutenant. The Captain of his present Company being dangerously ill, prays for the command so soon as it shall become void. [*Col. Papers, Vol. XLIII., No.* 8]

[Jan. ?] **874.** Petition of Edward Rous to the King. Has served ten years as ensign in His Majesty's own regiment of foot guards, and being amongst other officers commanded to Virginia to suppress the insurrection of Bacon, the greatest trouble of that business devolved upon him through the continual indisposition of Colonel Jeffreys. Since his return, a captain's place in said regiment has been given from him, prays for the Company whereof Captain Langley was late Captain. [*Col. Papers, Vol. XLIII., No.* 9.]

[Jan. ?] **875.** A humble proposition addressed to the King and Parliament to give retreat to Protestant and proselyte foreigners in his American colonies and particularly in Carolina. *French.* Two and a half closely written pages setting forth the advantages of establishing foreign colonies in America. *Unsigned, but doubtless emanating from Réné Petit or one of his associates.* *See* Nos. 918, 919. [*Col. Papers, Vol. XLIII., No.* 10.]

Feb. 3. **876.** Answer of Randall Holden and John Greene to Lords of Trade and Plantations in obedience to their commands of 29th January signified by Mr. Blathwayt. The extent of land in Mounthope is not much, it being a neck of land abutting upon the sea and lying between Rhode Island and Plymouth, containing about 4,000 acres, and at present uninhabited. Conceive the value to be 4,000*l.*, and the propriety to be in the King; that no Corporation in New England has any right thereunto, it having lately belonged to the Sachem Philip and been inhabited by him and his subjects, who were wholly destroyed in the Indian war. Some of the

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neighbouring colonies would pretend a right by conquest, but conceive none can have a real title thereto but from the King. *Signed*, Randall Howlden, John Greene. *Endorsed*, "Read the 6th of Feb. 1678-9." 1 *p.* [*Col. Papers, Vol. XLIII., No.* 11, *and Col. Entry Bk., Vol. LX., p.* 329.]

Feb. 4. **877.** The Boston Agents to the Committee for Trade and Plantations, in answer to their Lordships' directions of 15th January on Mr. Mason's petition (*ante No.* 861). The whole matter having been decided by the Report of the Lord Chief Justice, and confirmed by the King in Council, and all parties being required to acquiesce therein, we have received no further instructions and have nothing in commission from those that are in possession of the said lands to answer on their behalf, their claims being, however, nowise quitted on that account. The northern bounds of Massachusetts are set forth in their charter, which, though they seemed to them to intend a straight line drawn E. and W. from sea to sea, three miles to the N. of the most northerly part of the Merrimack, were retrenched by the abovesaid report, which allowed only three miles to the N. by the side of the Merrimack. For that part of Mr. Mason's claim that falls to the N. of their line the right to the soil is not yet determined between the inhabitants (who have been in possession about 50 years) and Mr. Mason and others who have as good claims as he. Meantime the people of the four small plantations on this tract (which are all that it is capable of, notwithstanding Mr. Mason's large representation of 30 miles), not being sufficient to be put under a separate Government, have petitioned unanimously to be annexed to the Massachusetts. As to what Mr. Mason challengeth within our northern bounds, those lands are in the possession of particular persons who purchased the right of the natives, subdued, planted, and builded upon them at their own charge, conveyed them to one another, and have enjoyed them for 50 years without any forbidding them at the first, or interruption from any one until now. Mr. Mason can only set forth his title on account of a bare grant of late produced from the Council of Plymouth, uncertain in its boundaries, never pursued or executed by livery of seizin made, which cannot be of force to eject the inhabitants, and is a poor foundation to build the title of sole proprietor of New Hampshire upon, a name not pretended to be in being till six years after the obtaining of the Massachusetts' charter. *Signed*, William Stoughton, Peter Bulkeley. 2 *pp.* [*Col. Papers, Vol. XLIII., No.* 12, *and Col. Entry Bk., Vol. LX. p.* 332.]

Feb. 5. Boston. **878.** Governor Leverett to Secretary Williamson. The oath of allegiance has been administered and freely taken throughout the towns in Massachusetts. The Lord's hand hath been stretched forth upon us in great mortality by fevers and the small-pox. *Postscript.*—Whilst this was writing, intelligence was brought of the death of Colonel Jeffreys, late Governor of Virginia. 1 *p.* [*Col. Papers, Vol. XLIII., No.* 13.]

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Feb. 5. Whitehall.

879. Instructions to John Harvey, President of the Council of the County of Albemarle in the Province of Carolina. We (the Proprietors) having agreed upon the model of Government to be the fundamental constitutions and form of Goverment of our Province of Carolina, but being unable to put it fully in practice by reason of the want of Landgraves and Caciques and a sufficient number of people, yet intend to come as nigh it as we can in the present state of affairs:—1 and 2. You are therefore required to issue out writs to the four precincts of the county of Albemarle, for the election of five freeholders who are to be their representatives; to these the five persons chosen by us (to represent for the present the nobility) will be added, and will make up your Assembly. They having chosen their Speaker, will be required by you to elect five persons, which added to five more deputed by us will form your Council. You will govern by the advice and consent of this Council, or a majority thereof according to our fundamental constitutions; and for the present this Council will represent the Grand Council therein mentioned. 3. You will cause all persons so chosen to swear allegiance to the King and to the Government; if any man from religious scruples decline to swear then he shall sign his name in a book provided for the purpose, which signature shall be deemed the same with swearing. Yourself and the five deputies of the respective Proprietors will represent the Palatine Court of the grand model of Government and exercise all its powers. 4. You will with consent of the Council establish as many Courts of Justice as are necessary, till our Grand Model can be put into execution. 5. You shall make, with consent of the Council, such laws as you shall from time to time find necessary, which laws being ratified by you and three out of our five deputies shall be in force as provided in the 12th Article of the Grand Model. You will also as soon as possible cause the Surveyor-General to divide up the country into squares of 12,000 acres, not to alter any man's right, but for the easier enforcement of our Grand Model. 6. We grant to all free persons that come to plant in Carolina before the 25th December 1684, and are above the age of 16 years, 60 acres of land; and for every able manservant with a good firelock, 10 lbs. of powder, and 20 lbs. of bullet, 60 acres; and for every other servant 50 acres. 7. On arrival of such persons you, being satisfied concerning them, shall issue warrants to the Surveyor-General to lay them out a parcel of land according to the rule aforesaid, which being returned by him, and the people having sworn allegiance to King and the Government, you will pass them a grant of land under the seal provided for the purpose in the form following (form here set out in full, rent 1*d.* per acre per annum, to begin from 29th September 1684). 8. Notwithstanding that 1*d.* per acre is the rent fixed by our Grand Model, yet those who possess land by virtue of grants from Sir William Berkeley at ¼*d.* per acre, quit rent, or from ourselves at ½*d.*, shall keep their land at the rent, and on satisfactory proof made to you, you will issue to them grants accordingly; but such owners shall not be allowed the same time for the

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beginning of the payment of their rent as the others. 9. You will choose a fitting site for the chief town of Albemarle, having regard to health, plenty, and access, and endeavour to get the Parliament to raise wherewithal to build a house for the meeting of the Council and Parliament: the Public Offices and the Courts shall likewise be there. You will also get the Parliament to pass an Act that in no store shall be kept strong drink, or any goods sold by retail save in the said town, and you will cause all vessels that enter the Albemarle River there to load and unload, as provided in our Grand Model. 10. You, the President of the Council, will be Commander-in-Chief of all the forces in the country; and 11, will have power, with the consent of the majority of our deputies to adjourn, prorogue, and dissolve Parliament. 4½ *pp.* [*Col. Entry Bk., Vol. XX., pp.* 135–139.]

Feb. 6. **880.** The Boston Agents to the Committee for Trade and Plantations. Answer to Mr. Crown's petition. Mounthope not being in Massachusetts, and neither of them having been on the place, cannot certainly inform the quantity thereof, but suppose it may contain not above five or six thousand acres at the most. Cannot acquaint their Lordships with the value of the tract, there being no common rule in New England whereby to set a price upon lands, especially such as are not inhabited or improved by the English. Know in general that the soil of New Plymouth, being mostly poor and barren, this neck of land is accounted one of the best parts thereof, and was never doubted to be within the bounds of that Colony; very probable it is that it will be disposed of to particular persons before any notice of Mr. Crown's petition will arrive there. Pray that the King may be informed that there are no lands lying amongst them that are not clearly contained and fully conveyed in the charters already granted, and that besides the lands now vacant by removal of the Indians they have nothing else to come into their hands towards the defraying of the vast charge of the late war, whereby not only many families, but whole towns were ruined, and the country extremely impoverished and brought into debt. Are confident that, with these great sufferings on the place, the losses of a particular person on other accounts and elsewhere sustained could not stand in competition for the King's favour as to the granting away of such lands. New Plymouth claims these lands by former letters patent, and will be ready to make out her title when required. *Signed*, William Stoughton, Peter Bulkeley. *Endorsed*, "Read the 6th Feb. 167$\frac{8}{9}$." 2 *pp.* [*Col. Papers, Vol. XLIII., No.* 14, *and Col. Entry Bk., Vol. LX., p.* 334.]

6 Feb. **881.** Journal of Lords of Trade and Plantations. Edward Randolph's petition read, praying their Lordships to consider his answer concerning the Church of England referred to them by order of 15th January, and to report the necessity of sending an orthodox minister to New England. Their Lordships agree to report that the Bishop of London be directed to appoint forthwith some able minister to go and reside at Boston, and others from time to time, as the country shall be willing to maintain; advise that

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all persons taking the oath of allegiance and joining themselves to the ministers thus appointed, and having obtained a certificate from the minister and three of the congregation, shall be declared as capable of all freedoms and privileges as any other person, and that penalties imposed on such persons for not attending any other public meetings of divine service be taken off. On reading the petition of John Crown for the grant of Mounthope referred by order of 24th January, report that letters be sent to the four New England colonies requiring them to certify to His Majesty the extent, &c., of Mounthope, His Majesty not having received any intimation of the conquest or disposal of the country.

The first personal grievance of Virginia, proved by oath before His Majesty's late Commissioners, is read. Also letter from said Commissioners to Sir William Berkeley protesting against the illegal seizures made by him. Their Lordships think fit to report the injustice of the seizure of the goods belonging to the petitioner Alexander Walker, and that restitution be made by Berkeley's executors if the same were seized after 16th January 1676–77, or the surrender of West Point, which put an end to the rebellion. Draft of instructions to be delivered to Lord Culpeper, who is to attend on Monday next with his proposals. The latter part of his Lordship's paper, presented 14th December last, is considered in reference to the impost of tobacco, presents for the Indian princes, a mace and sword for Virginia, and furniture for a chapel, furniture for 200 dragoons and 50 horse with tents, an auditor, and writs to be issued in the King's name. On reading Order in Council of 30th October last (No. 821), their Lordships, looking upon this declaration to be seditious and even tending to rebellion, think fit that Lord Culpeper, at his arrival in Virginia, do signify His Majesty's high resentment thereof, and inquire, with the assistance of the Council, who were the authors and abettors of this presumption.

Two letters of 1st July and 11th September read from Lord Carlisle at Jamaica. To be considered whether his Lordship had power to admit Mr. Ball into the Council. As to the adjusting of the logwood trade with the Spaniards, their Lordships think nothing can be done at present, the Spaniards seeming resolved to agree to no accommodation; nevertheless the matter to be made, if possible, a part of the first treaty with Spain, and meanwhile to be neither publicly allowed nor expressly discouraged. 7 *pp.* [*Col. Entry Bk., Vol. CV., pp.* 295–302.]

Feb. 6. Whitehall. **882.** Order in Council on the Report of Lords of Trade and Plantations. The Lords have taken such informations concerning Mounthope as the Deputies of New England attending His Majesty were able to give, but finding they do not give any positive or concurrent account of the extent, value, and propriety of the said lands, advise that letters be sent to the four colonies requiring them to certify with all speed the true extent, value, and propriety with the grounds of their respective claims, His Majesty having not as yet received the least intimation from any of the said

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colonies concerning the conquest, claim, or disposal of the said country. *Signed*, Anglesey, Essex, Craven, Aylesbury, H., London, 6 Feb. $167\frac{8}{9}$. Report approved. Ordered, that the matter therein contained be added to a letter now preparing for His Majesty's signature to be sent to New England. 3 *pp.* [*Col. Entry Bk., Vol. LX., pp.* 336–338.]

Feb. 7. **883.** H. Slingesby to the Lords of Trade and Plantations. In reference to the Earl of Carlisle's desire to erect a mint in Jamaica, would call attention to a report made by the Earl of Southampton to the King and Privy Council on 14th November 1662, and in particular to one clause advocating an uniform standard in weight for the coinage, and deprecating any debasement thereof. Nevertheless, if Lord Carlisle can raise three or four thousand pounds in Jamaica itself, for the expense of buildings and engines, and a thousand pounds at least annually for repairs and for salaries of officers, is most ready to offer his services towards the establishment of a mint according to the standards, rules, and orders of the mint in England. *Signed. Endorsed*, "Rec^{d} and Read 8th Feb. $167\frac{8}{9}$." [*Col. Papers, Vol. XLIII., No.* 15, *and Col. Entry Bk., Vol. XXIX., p.* 254.]

Feb. 8. **884.** Journal of Lords of Trade and Plantations. Mr. Slingesby presents his report on the proposed mint at Jamaica, giving, besides his own opinion that the question is of dangerous consequence, a previous report of 14th November 1662, by the then Lord Treasurer about a mint in Ireland. Ordered, that extracts be made from the Council book of such papers as relate to a mint, to be sent to Lord Carlisle together with the report. $1\frac{1}{2}$ *pp.* [*Col. Entry Bk., Vol. CV., p.* 302, 303.]

Feb. 8. Whitehall. **885.** The Lords Proprietors of Carolina to the Governor and Council of the Province of Albemarle. We had commissioned Mr. Seth Southell to be your Governor, and did not doubt but by his prudence he would have remedied the disorders among you and established good government, but he being taken by the Turks and carried into Algiers we have appointed Mr. John Harvey to be president of the Council until his arrival. Herewith we send you our instructions (*ante No.* 879), our temporary laws, and our fundamental institutions; and we look for your utmost endeavours to settle order and quiet among you, and we hope that we shall not be constrained to use force to reduce the seditious to reason. 1 *p.* [*Col. Entry Bk., Vol. XX., p.* 140.]

(Feb. 10.) **886.** Petition of William Downing, on behalf of the inhabitants of Newfoundland, to Lords of Trade and Plantations. The prohibition to transport any men but those of the ship's company to Newfoundland was brought to the King's notice, as being detrimental to the Colony, as far back as January 1677, and the matter was then referred to their Lordships for regulation. The Colony is at present so naked of defence that it could not oppose

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any foreign enemy. The King's interest is in danger to be lost, the fishing trade to be discouraged, and the inhabitants to be not only disturbed but supplanted for want of government, a minister, and fortifications. There are several ports so well fortified by nature that a little art would make them inexpugnable. Owing to the embargo imposed by the King on all fishing ships in February 1677, no vessels went last year to Newfoundland to carry the necessary supplies for the inhabitants. Nevertheless, eighteen ships belonging to some western owners did, contrary to the said embargo, go to Newfoundland, where, finding the coast clear, they did great damage by pulling down stages and making havoc of the timber belonging to other shipping, which waste they scandalously impute to the inhabitants. Prays that their report may be expedited and may remedy these grievances. *Endorsed*, "Read 10 Feb. 1678–9." 1 *p.* [*Col. Papers, Vol. XLIII., No.* 16.]

Feb. 10. Council Chamber.

887. Lords of Trade and Plantations to the King. Report on petition of Elizabeth Dudley, widow of William Dudley, senior, of Middlesex County, Virginia. The late William Dudley took the oath imposed by Nathaniel Bacon, under force, but never did any mischief, and was included in His Majesty's pardon. But before he could obtain the benefit of it the Governor Sir William Berkeley took from him a bill of obligation to pay fifteen hogsheads of tobacco by way of composition for his pardon, which were accordingly seized in March 1677. The story is confirmed by the bill itself produced by the Petitioner, and the case was recommended to the King by the late Commissioners. As the Royal proclamation of pardon was made 20th October 1676, Sir William Berkeley's Act was in derogation of that gracious pardon; and the Lords therefore advise that the tobacco should be restored to the dead man's assigns, that the Petitioner may not be deprived of the full benefit of the Royal pardon on any pretence whatever. *Draft.* [*Col. Papers, Vol. XLIII., No.* 17, *and Col. Entry Bk., Vol. LXXX., pp.* 276–278.]

Feb. 10. Whitehall.

888. Journal of Lords of Trade and Plantations. On Order of Council of 26th July last (*which see*), on petition of Morris, Pryn, and Consett, that His Majesty grant them double the sum expended by them in extraordinary charges, and cause their names to be lodged in the Admiralty as deserving persons to serve His Majesty. Answer of Sir John Berry and Colonel Moryson concerning the present Council in Virginia read, names of persons to be proposed as fit to serve His Majesty in that trust. As to Colonel Francis Willis and Colonel Jos. Bridger their Lordships will make further inquiry concerning their ability and deserts. Colonel Ballard, Colonel Phil. Ludwell and Colonel Bray to be excluded out of the Council. Major Robert Beverley and Colonel Edward Hill "of evil fame and behaviour" to be put out of all employment and declared unfit to serve His Majesty. Consideration of grievances from several counties; also of petition of Elizabeth Dudley, her tobacco or the value thereof forced from

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petitioner by Sir William Berkeley for her husband's pardon to be restored to her. Agreed, that all injuries committed since 16th January 1676–77 be redressed; and for those complaints of injuries done by Sir William Berkeley or his order during the rebellion, unto such as continued loyal, their Lordships will take them into consideration as they shall offer, and will recommend the case of William Carver for restitution of his estate unto Lord Culpeper.

Order of Council of 24th January (*ante, No.* 867) read, respecting the representation of the Commissary of the Dutch West India Company on the piratical seizure of the ship Sun. After examination of evidence, resolved that Lord Carlisle be instructed, on delivery of said evidence, to hand over the bond for the value of the stolen goods to the agent of the Company in Jamaica.

Petition of Réné Petit (*see Nos.* 918, 919) read, praying that fourscore Protestant families skilled in the manufacture of silks, oils, wines, &c., may be transported to Carolina in two of His Majesty's small ships; and that 2,000*l.* to be advanced for this undertaking may be reimbursed upon the first moneys accruing to His Majesty's customs by import into England of the commodities of that Plantation. Their Lordships desire the consent of the Lords Proprietors of that province, as far as they are concerned therein before making their report. 5 *pp.* [*Col. Entry Bk., Vol. CV., pp.* 304–308.]

Feb. 12. Whitehall. **889.** The King to Sir Jonathan Atkins, Governor of Barbadoes. That he forthwith cause Edwyn Stede, Agent for the Royal African Company in Barbadoes, to be sworn one of the Council "of that our island." [*Col. Entry Bk., Vol. VI., p.* 238.]

Feb. 12. **890.** The King to the Governor and Magistrates of Massachusetts. Describes the proceedings about the Narragansett country and the King's province; requires them to take care that all things relating to it be left in the same condition as they have been as to the possession and Government thereof, and that claimants to it send over properly instructed agents to make their right appear, in default whereof the King will take measures for settlement and government. Desires them to certify what right any of the Colonies have to Mounthope, its size, value, &c., in view of the petition put forward by John Crown. Cannot but take notice that no account has been received from them or the other Colonies of the conquest of that county, not doubting but for the future they will be more careful to advertise him or the Privy Council of matters relating to his prerogative and authority. *Signed*, Sunderland. *Note.*—The like letter was sent to the other three Colonies, Rhode Island, New Plymouth, and Connecticut. 5 *pp.* [*Col. Entry Bk., Vol. LX., pp.* 338–342.]

(Feb. 18.) **891.** Petition of John Thornbush of London, Merchant, in behalf of Lieutenant-Colonel Augustine Warner, now resident in Virginia, to the King. Setting forth the seizure in September 1676

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by Captain William Bird of Henrico County, of goods from petitioner's house in Abbington Parish to the value of 1,000*l.*, for which he has obtained judgment with costs, and praying that said Captain Bird (being a notorious offender) may be excepted from the Act of Indemnity now obtaining, whereby petitioner may have his course of law against him. *With*

Reference to the Lords of Trade and Plantations for their Report thereon. Whitehall, 1678–79, February 12. "Read at the Committee 18 Feb. 1678–9." [*Col. Papers, Vol. XLIII., No.* 18, *and Col. Entry Bk., Vol. LXXX., pp.* 264, 265.]

(Feb. 18.) **892.** Petition of Robert Mason to Lords of Trade and Plantations. Prays that the disclaimer of the Massachusetts Agents to New Hampshire be reported to the King, to move the King to declare the Massachusetts usurpation thereof to be illegal, and to command the inhabitants of the province to receive the petitioner as their true and lawful proprietor. Signed. *Subscribed,* "Read 18 Feb. 1678." 1 *p.* [*Col. Papers, Vol. XLIII., No.* 19.]

Feb. 18. Whitehall. **893.** Journal of Lords of Trade and Plantations. Answer of the Massachusetts Agents to Mr. Mason's petition and Mr. Mason's reply read; the parties called in and the papers again read. Their Lordships agree to advise that His Majesty declare void the pretensions of the Massachusetts to lands north of their line or to any between their north bounds and the Naumkeck River, and command the inhabitants of the lands between the Piscataqua and the Merrimack to acknowledge Mr. Mason as their proprietor, unless they can make out any title to the contrary before His Majesty in Council; the inhabitants of the lands between the Naumkeck and the Merrimack not to be disturbed till directions for their making out their titles before the proper judicature in New England.

Several heads of instructions for Lord Culpeper are read and approved; such as relate unto the Church being put off till Thursday next. Agreed, to move His Majesty that some men of war be appointed to cruise off the channel to protect a considerable fleet of homeward bound ships from the Algerines. On reading petition of Colonel Augustine Warner to except Captain Bird, one of the late rebels in Virginia, out of the Act of Indemnity which is preparing, by reason of petitioner having obtained a judgment of 1,000*l.* against him, it is referred to the Attorney-General. [*Col. Entry Bk., Vol. CV., pp.* 309–311.]

Feb. 18. St. Jago de la Vega. **894.** Governor Lord Carlisle to Secretary Coventry. We have strange reports of plots and conspiracies in England. I have lost no opportunity of telling you all that passes here, and am much troubled that your despatch of the business of this Island should have been hindered by disorders at home. Your duplicate of 16th November last is the first I have received from you since my arrival, and all, except one from the King of 15th July. A fortnight

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since five men of His Majesty's Ship Jersey were tried for sodomy, and four found guilty and sentenced to die, whereof I suffered but one to be executed, viz., Francis Dilly, who appeared to be the chief ringleader. The other three I have pardoned, white men being scarce with us. I desire you to move the King herein in the disbandment of the army; all tradesmen coming hither much advance themselves and improve the Island, which advances the King's interest both here and at home. Exposing myself late one evening in the Savanna to the north wind, I took cold, which hath occasioned the gout gently to visit me for some days, but it is going off again. I desire your ordering Mr. Field to take abstracts of my letters, that no concern of this place slip your memory charged with a crowd of important affairs. [*Col. Entry Bk., Vol. XXIX., p.* 288.]

Feb. 18. **895.** Journal of the Assembly of Barbadoes. Put to the vote whether an additional Act for securing the possession of negroes and slaves pass as now read and passed this House 2nd of October last, or with the amendments made by his Excellency and Council. Passed unanimously as it was formerly passed.

Feb. 19. Three Acts to continue the Acts of the Militia, to continue the Acts of the Excise, and for preventing dangers which may happen from Popish recusants, passed unanimously. Adjourned to 18th March. [*Col. Entry Bk., Vol. XIII., pp.* 335, 336.]

Feb. 19. [Barbadoes.] **896.** An Act for the more effectual putting in execution a statute of England intituled "An Act for preventing dangers which may happen from Popish recusants." [*Col. Entry Bk., Vol. XV., pp.* 103, 104.]

Feb. 19. **897.** Warrant of the Lords Proprietors of Carolina. Appointing Robert Holden, Receiver General, Receiver of Rents, and Escheator General of the County of Albemarle in Carolina. *Signed,* Albamarle, G. Carteret, Shaftsbury, Craven, P. Colleton. 1 *p.* [*Col. Entry Bk., Vol. XX., p.* 133.]

(Feb. 19.) **898.** Instructions to Robert Holden from the Lords Proprietors of Carolina. You are responsible for wrecks, ambergris, and other "ejections of the sea," as well as rents, and will receive 10 per cent. of all receipts and recoveries for your pay. You are also to explore and obtain intelligence of new nations, countries, mines, and precious stones, and ascertain the number of fighting men of such nations; and you will receive 20 per cent. of any trade discovered by you with any nations, either amongst or beyond the Apeletian Mountains. Signed as the preceding. [*Col. Entry Bk., Vol. XX., p.* 134.]

Feb. 20. **899.** Minutes of the Council of Antigua. Present, Colonel James Vaughan, Governor, and eight of the Council named (*ante, No.* 871). Having regard to a late precedent of his Excellency in relation to the appointing storekeepers, resolved, that such

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choice ought to rest only in the Governor of this Island. Also, that for this year all Jury Courts of Common Pleas be held according to the former method in March, May, and June, and next year in April, May, and June, and so to continue annually, allowing all persons free admission for preferring complaints for debt, besides the benefit of two other Courts of Complaints annually in March and July. 1 *p.* [*Col. Papers, Vol. XXV., No. 55*, p.* 763.]

Feb. 21. Whitehall. **900.** Order of the King in Council on Report of the Lords of Trade and Plantations. On the case of the Golden Sun (*see ante, No.* 867) we are of opinion that the Governor of Jamaica should be instructed that as soon as the proper evidence shall have been produced by the Agent for the Dutch West India Company in Jamaica, Sir Thomas Modyford, and by Richard Braine, the Judge of the Admiralty Court, the bond entered into by the said Braine for repayment of the proceeds of the sale of the negroes be delivered to Sir Thomas Modyford. *Signed*, J. Bridgewater, Sunderland, Ailesbury, Craven, Clarendon, H. Coventry. Ordered, that the Earl of Carlisle be instructed to proceed accordingly. [*Col. Entry Bk., Vol. XXIX., p.* 264.]

Feb. 21. Whitehall. **901.** Order of the King in Council on Report of the Lords of Trade and Plantations. Respecting Lord Carlisle's letter of 14th August 1678 (*see No.* 779). We are of opinion that nothing in the clause of the Militia Bill complained of can be departed from without great prejudice to the Royal authority, and therefore recommend that Lord Carlisle be ordered to insist thereon, as essential to the trust reposed on him. In the matter of the erection of a mint, we have consulted the officers of the Mint, and recommend reference to Lord Southampton's report, &c. (*see above, No.* 883), and that if Lord Carlisle provide the necessary moneys the Rules and Standards of His Majesty's Mint be taken for Jamaica. *Signed*, Ailesbury, J. Bridgewater, Clarendon, Craven, Sunderland, Henry Coventry, 8th February. *Ordered*, on this report, that the particulars relating to the Mint be communicated to Lord Carlisle that he may govern himself accordingly. As for the clause of the Militia Bill His Majesty will consider further thereof. [*Col. Papers, Vol.. XLIII., No.* 20, *and Col. Entry Bk., Vol. XXIX., p.* 257.]

Feb. 21. Whitehall. **902.** Lords of Trade and Plantations to Governor Lord Carlisle. Instructing him to proceed according to Report and Order in Council of same date (*ante, No.* 900), for restoring to the Dutch West India Company the proceeds of the sale of their negroes piratically seized by Captain James Browne. *Signed*, Worcester, J. Bridgwater, Sunderland, Craven, Clarendon, Fauconberg, H. Coventry. [*Col. Entry Bk., Vol. XXIX., p.* 268.]

Feb. 22. Whitehall. **903.** Lords of Trade and Plantations to Governor Lord Carlisle. Referring to his letter of 14th August (*see ante, No.* 779) respecting erection of a mint in Jamaica. Answer in the terms of Mr. Slingesby's

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letter of 7th February (*see ante, No.* 883). *Signed*, J. Bridgewater, Clarendon, Craven, Sunderland, Worcester, Henry Coventry. [*Col. Entry Bk., Vol. XXIX., p.* 261.]

(Feb. 22). **904.** Edward Randolph to the Lords of Trade and Plantations. Proposals for the better establishing the King's authority in New England, that the King's commands of June 1662 sent to the Massachusetts be duly observed; (1) that the number of magistrates be not fewer than 18; (2) that all laws repugnant to the laws of England be declared void, and no law for the future be valid till confirmed by the King in Council; (3) that all inhabitants taking the oath of allegiance (as directed in the King's letters of April last) be admitted freemen, and all that refuse the oath be *ipso facto* made uncapable of voting or acting as freemen; (4) that for present security from foreign or Indian invasion, till the King appoint a General Governor, that Josiah Winslow (late General of the United Forces in the Indian War), be appointed Major-General of the whole plantation, that John Winthrop, Majors Dennison, Savage, Bradford, Treat, Talcot, Shapleigh, Cranston, Phillips, Captains Champernoun, Saltonstall, Holden, Green, Richard Smith and Sandford, be constituted Deputy Lieutenants to settle the Militia and to give out Commissions for the future only in the King's name. Signed. *Subscribed*, "Read 22 Feb. 167$\frac{8}{9}$. Referred to Sir Robt. Southwell." 1 *p.* [*Col. Papers, Vol. XLIII., No.* 21.]

Feb. 22. **905.** Journal of Lords of Trade and Plantations. On the desire of the Lord Treasurer that the Committee would consider a paper of Mr. Randolph's concerning the Customs in New England, Mr. Randolph is called in, and offers another paper containing several points necessary towards the reducing that people to their due obedience, which he prayed might be forthwith considered that he might be the better enabled to pursue his instructions. Their Lordships order the papers to be put into the hands of Sir R. Southwell to consider what points are to be agreed for Mr. Randolph's despatch and what for the General Report. [*Col. Entry Bk., Vol. CV., p.* 312.]

Feb. 24. **906.** Journal of Lords of Trade and Plantations. The Boston Agents, attending by order on an information that they were preparing for their departure to New England contrary to His Majesty's commands, and assuring their Lordships that they had no other intention than to attend His Majesty's orders, are assured on their request to be despatched after so long attendance, that no time would be lost, but that their stay had been occasioned by their not complying with the directions of the Committee on several particulars, which they were ordered to transmit to their principals, as appeared by the minutes of 17th July 1677 and 8th April 1678. The Agents denied that they had received any other orders than such as had already been effectually complied with in their Colony, the law against the keeping of Christmas having been repealed, the Acts of trade enforced, and the oath of allegiance taken. Their

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Lordships, being unwilling to enter further on this matter, tell the Agents to attend till His Majesty's further order.

Draft of an Act of Indemnity for Virginia being presented to the Committee their Lordships think fit to refer it to Mr. Attorney-General. [*Col. Entry Bk., Vol CV., pp.* 313, 314.]

Feb. 24. St. Jago de la Vega. **907.** Governor Lord Carlisle to Secretary Coventry. Since the 18th a vessel has arrived from Montserrat, bringing over some 25 persons of a family belonging to Captain Carryl, a planter of considerable condition in that Island. He is now settled here, and complains to me that it was only with difficulty that his wife got off with this part of his family, there being an Act there that no family shall remove from thence owing to the desire of many families to be transported to Jamaica. Surely it was the King's desire that the inhabitants of St. Christopher's should be encouraged to move to Jamaica, and it will greatly improve his interest in this place if people be permitted to leave other islands where they are constantly in apprehension, and live here in security. Pray move the King in the matter that I may know his pleasure. [*Col. Entry Bks., Vol. XXIX., p.* 290.]

Feb 26. **908.** Lords of Trade and Plantations to [the Attorney-General]. Requesting his report upon a draft of an Act of Indemnity for Virginia, prepared by His Majesty's Order in Council, whether it be agreeable to same and in a legal form, and desiring him to make such alterations as he shall find necessary. *Draft.* [*Col. Papers, Vol. XLIII., No.* 22.]

Feb. 26. **909.** Deposition on oath of Major Robert Bristow, late of Virginia, but now of London, merchant. That upon delivery up of West's Point the rebels laid down their arms and dispersed themselves ; that Sir William Berkeley and his party then came ashore and went to Green Spring, and afterwards caused several persons' estates to be seized, including a parcel of tobacco belonging to Alexander Walker of Virginia. [*Col. Papers, Vol. XLIII., No.* 23.]

Feb. **910.** Memorandum that the Committee for Trade and Plantations, having received the opinion of Mr. Attorney-General, agree on a proviso to be inserted in the Act of Oblivion, whereby all judgments given until the 24th of April 1679 for spoils committed during the rebellion are to remain in force ; which Act His Majesty was pleased to approve in Council. [*Col. Entry Bk., Vol. LXXX., p.* 265.]

Feb. 27. **911.** *Mem.*—Upon reading an Act received from Sir Jonathan Atkins on 12th January 1678 for His Majesty's confirmation, enabling Thomas [*sic,* Benjamin] Middleton, of Barbadoes, to sell his estate for payment of debts, their Lordships ordered a letter to be sent to Mr. Attorney-General.

Sir Robert Southwell to Mr. Attorney-General. That said Thomas Middleton died seised of a considerable estate, but clogged

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with great debts, so that his son and heir, Benjamin Middleton, was disabled from selling any part of said estate. Wherefore it was found reasonable to pass an Act to enable the son to sell so much as might discharge the incumbrances, which Act has been sent over for His Majesty's confirmation. Their Lordships desire him to see if anything in point of form be incongruous or fit to be objected against. *With Mem.*—"I have perused the said Act and have nothing to object against the same." 1 *p.* [*Col. Papers, Vol. XLIII., No.* 24, *and Col. Entry Bk., Vol. VI., pp.* 253–255.]

Feb. **912.** Memorandum of the Lords of Trade and Plantations. As the Lords have been diverted by the multiplicity of affairs in Parliament and prosecution of the Plot, from offering such regulations as may be thought fit for bringing the Massachusetts to a due acknowledgment of their duty and dependence on His Majesty, and as the two Agents here pretend that they are not instructed to anything besides Mr. Mason's complaints, and that their domestic affairs very much press their return, it is offered that the Boston Government be ordered to send over two other Agents fully instructed to answer the misdemeanours imputed to them, and to attend the King's farther commands in the affairs now depending relating to that Colony. And as liberty of conscience has been the pretence for settling and maintaining that plantation, it is suggested that all penalties imposed for not resorting to the congregation of the churches, and submitting to that ecclesiastical Government be taken off; that the free exercise of religion established in England be permitted and countenanced; that there be no other distinction in making freemen than that they be of competent estates (viz., rateable at 10*s.* according to their law), and that all such be made capable of the magistracy; that all military commissions and public proceedings run in the King's name; that as the province of Maine has been secretly conveyed from the true proprietor and disposed of to particular persons within that Colony without the King's participation or consent, the Massachusetts be ordered to send an account by their agents how the propriety and government of that province doth stand at present; that a Committee be appointed to settle Mr. Mason's pretensions; that New Hampshire, remaining without any lawful government, certain of the chief inhabitants, according to the Commissioner's Settlement in 1665, be commissionated and appointed as His Majesty's Counsel, to take care of the government until further order; that the King's pleasure in all these things be signified in a letter to be carried over by the Agents that are here; that no person be admitted to any office in the Colony without first taking the oath of allegiance. *Draft. Endorsed,* "Present E. of Sunderland, E. of Essex, V. Fauconberg, V. Halifax, Mr. Sec. Coventry." 3 *pp.* [*Col. Papers, Vol. XLIII., No.* 25.]

March 3. **913.** Journal of Lords of Trade and Plantations. Sir R. Southwell's report on the despatch of Randolph and an answer to a paper presented by Mr. Randolph to the Lord Treasurer touching

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the customs in New England read. On the petition of Mr. Randolph for a reward for his attendance on His Majesty's service, the Committee advise that his present salary of 100*l.* per annum as Collector of the Customs commence from the time of his arrival out of New England and be paid accordingly out of the Customs, and agree to acquaint the Lord Treasurer with the matter of Sir R. Southwell's report, and also of the danger in sending over a Collector of Customs to New England until there be farther progress made for settling that country. *Marginal Note.*—Mr. Randolph arrived on the 10th of September 1676 and his salary as Collector became due from 12th June 1678, so that the sum proposed is 175*l.* 1 *p.* [*Col. Entry Bk., Vol. CV., p.* 316.]

March 3. Barbadoes. **914.** Governor Sir Jonathan Atkins to [Sir Robert Southwell]. Received his letter of July last very lately, with an order from the King and dispensation of the Admiralty of England, and a command to deliver the ship Asia to the Dutch West India Company. It is four years since she was brought in by the Phœnix frigate, Lieutenant How commander, well plundered and so leaky she could not be carried to England, and at last was sold for 300*l.* and no claim has been made for almost five years. His Admiralty commission is from the Duke of York and he has no dependance as he conceives upon the Admiralty in England. Has acquainted His Royal Highness with this matter and is ready to obey their Lordships. Rec. 6 May. 2 *pp.* [*Col. Papers, Vol. XLIII., No.* 26, *and Col. Entry Bks., Vol. VI., pp.* 254, 255, *and Vol. CVI., p.* 4.]

March 4. Barbadoes. **915.** Governor Sir Jonathan Atkins to [Lords of Trade and Plantations]. Sends this by the Constant Warwick returning for England. All well and quiet, intent to our own safety and firm obedience to His Majesty. To express the same the country have made an Act that all officers, both Military and Civil, shall take the oath of allegiance and supremacy according to the construction and penalties of the laws of England. The best intelligence he has of the French squadron is that they have gone home. Has sent all the laws of Barbadoes and hopes they will be speedily considered. Rec. 6 May. [*Col. Papers, Vol. XLIII., No.* 27, *and Col. Entry Bks., Vol. VI., p.* 256, *and Vol. CVI., p.* 4.]

March 4. Barbadoes. **916.** Governor Sir Jonathan Atkins to William Blathwayt. Has sent by the Constant Warwick the laws the Lords so much insisted upon by Robert Chaplin. Has heard nothing from the Lords a long time. [*Col. Entry Bk., Vol. VI., pp.* 256, 257.]

March 4. Whitehall. **917.** Journal of Lords of Trade and Plantations. Mr. Bulkley desiring a further day to make out the title of the Massachusetts to the propriety of lands between the Naumkeck and the Merrimack, since demised to the terre tenants, their Lordships take notice that in a paper presented by them on 18th February they have only pretended Indian purchase and long possession without any legal title held by the inhabitants from the Massachusetts Corporation, but, however, appoint the agents to be heard once more on Friday

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at three o'clock. *Mem.*—On the 14th instant, their Lordships order a copy of a paper presented by the Agents of New England on the 12th instant to be given to Mr. Mason

Report prepared by order of the Committee for the despatch of Lord Culpeper is read and approved, whereupon the Earl of Sunderland delivers a paper containing an Instruction to Lord Culpeper for disposal of the Revenue in Virginia, approved by His Majesty and to be added to his Lordship's Instructions. Paper read from the Bishop of London, concerning the Church in Virginia; Lord Culpeper to confer with the Bishop and to agree upon heads fit to be inserted in his Instructions. Petition of Robert Ayleway read touching his patent of the Auditor's place of Virginia, to be postponed until Secretary Coventry be present. *Mem.*—The letters to Lord Carlisle concerning a mint and the restitution of the Dutch negroes were sent away on the 10th instant; and on the 11th another letter acknowledging his of 10th November and 10th December 1678 and hastening the laws. 3 *pp.* [*Col. Entry Bk., Vol. CV., pp.* 317–319.]

March. **918.** Petition of Réné Petit and Jacob Guerard to Lords of Trade and Plantations. Offering additional reasons to those mentioned in the letter of the proprietors of Carolina for the transport of eighty Protestant families to that province, and praying for despatch of the business. *Annexed,*

918. I. Table of advantages aforesaid. The said families will be useful (1) in buying and spending yearly a considerable quantity of English commodities; (2) "In receiving yearly a great number of other foreign Protestants their brethren who are daily seen to return into Babylon, not being able to find in England such employments as might be agreeable with their skill and industry; (3) In growing in few years a strong bulwark against the enemies of that young Plantation and being an help and comfort to the rest of His Majesty's dominions by supplying them with silks, oils, wines and such other things which they are forced to purchase of foreign nations." *Together,* 2 *pp.* [*Col. Papers, Vol. XLIII., Nos.* 28, 28 I.]

March 6. **919.** Report of the Lords Proprietors of Carolina on the petition of Réné Petit and Jacob Guerard (*ante, Nos.* 875, 888), for transporting themselves and about eighty families of foreign Protestants to Carolina. Have been at great expense, some seventeen or eighteen thousand pounds, and have brought the Colony to so prosperous condition that men of estates have for years gone there on their own accounts. Yet cannot say that both their interest and His Majesty's dominions will not receive benefit from the coming of these foreigners, both from their skill in planting vineyards and olive trees and the making of silk, and from the attraction that their success may hold out to other foreigners and Protestants. Did not give the suggestion at first as much encouragement as it

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deserved, being desirous and having the vanity to do this service to the Crown at their own charge, especially after mastering the difficulty and expense of it. Cannot deny that these poor gentlemen are fit objects for the King's great goodness and charity, and believe that the outlay, far from being misspent, will be profitable. *Signed*, "Shaftesbury, for myself and Mr. Seth Southel per me," C. Berkeley, Albemarle, G. Carteret, P. Colleton. *With the seal of each in good preservation. Endorsed*, "Recd. from Mr. Petit, 8 March. Read 14 March 167$\frac{8}{9}$." [*Col. Papers, Vol. XLIII., No.* 29.]

March. **920.** "Humble proposals for Carolina" (in the handwriting of Réné Petit). Fifty or sixty foreign families are ready to ship themselves in London for Carolina in February 1680, in case the King will lend them two of his ships for transport and consent that the sum of 2,000*l.*, which is to be advanced towards the charges of the undertaking, shall be reimbursed out of the first receipts of the customs from the commodities of the settlement. The proposals are already agreed to by the Proprietors of Carolina. [*Col. Papers, Vol. XLIII., No.* 30.]

(March 8.) **921.** Sir Robert Southwell's report to the Committee for Plantations concerning Randolph's proposals. Thinks Mr. Randolph's business would thrive much better if, on his presenting those orders for reformation which he proposes, there could be any hopes of obedience expected therefrom. But the King's Commissioners, who did never attempt so great reformations, were withstood and defeated in their business. The whole case of New England being in preparation before their Lordships' view, to the end that they may give advice how to steer in all parts of that great concern, humbly conceives Mr. Randolph must leave the points proposed behind him, that they may be maturely weighed as parts of the general report that is in preparation, lest His Majesty's intentions should be foiled for the want of authority in Mr. Randolph to support them. *Superscribed*, "Read 8 March 1678." 1 *p.* [*Col. Papers, Vol. XLIII., No.* 31.]

March 10. **922.** Lords of Trade and Plantations to the Lord Treasurer We have received from Mr. Chancellor of the Exchequer intimation that your Lordship desires our consideration of a paper presented by Mr. Randolph concerning the better execution of his employment of Collector, &c., in New England, how the charge thereof might be supported otherwise than from His Majesty's Exchequer, and how he might be armed with authority to execute the same. We find on reflection of what has happened in New England since His Majesty's restoration, not only by the affronts and rejection of the Commissioners in 1665, but by the whole current of their behaviour, that till His Majesty give them to understand that he is solemnly bent on a general reformation of the abuses in their government, no good can be expected from the single endeavours of any officer, but rather contradiction and disrespect in all that shall be endeavoured for His Majesty's service, if they will but call it an infringement

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of their Charter. We cannot think how any of the charges incident to these employments could be otherwise supported than from His Majesty's Exchequer. Wherefore, as there is now in preparation such a general state of that Colony and such expedients to be offered His Majesty as may bring them to a dependence on his authority equal to that of the other Colonies, we leave it to his consideration whether it be not best to suspend the departure of any such officer until there be a final resolution taken. *Signed*, Essex, Bridgwater, Northampton, Craven, Sunderland, Clarendon. J. Carteret, J. Ernle, R. Southwell. 2 *pp.* [*Col. Entry Bk., Vol. LX., p.* 343.]

March 10. St. James'. **923.** Sir John Werden to Sir E. Andros. His Royal Highness, not doubting his ability or integrity to judge of his inferior officer, approves of the suspension of Captain Billop. Nevertheless he will give a hearing to Captain Billop or his father if there be any just cause of complaint against Governor Andros. *Printed in New York Documents, Vol. III., pp.* 276, 277. *Encloses,*

923 I. Commission, dated 1st March, from the Duke of York to Captain Silvester Salisbury to be second Lieutenant to Sir Ed. Andros in the company of foot raised for the defence of New York, in the room of Captain Billopp. [*Col. Entry Bk., Vol. LXX., p.* 27.]

March 10. Virginia. **924.** Mistress Susan Jeffreys to Secretary Coventry. Her most deplorable condition caused by Colonel Spencer, Lord Culpeper's attorney, who lays claim against her for all perquisites since her husband's arrival, notwithstanding the wording of the King's letter. Has offered to give security, but that will not satisfy; therefore 'tis plain they seek her life in malice to her husband. Begs his intercession with the King on her behalf. [*Col. Entry Bk., Vol. LXXX., pp.* 305, 306.]

March 10. **925.** [Sir Robert Southwell] to Governor Sir Jonathan Atkins. Acknowledges receipt of his letters of 10th November and 10th December last, with packet of laws made the last two years in Barbadoes, which the Lords of Trade and Plantations have not yet been able to take into consideration for the reasons expressed. This is why their Lordships have continued to insist in the most earnest manner for above three years that he would lay before them the whole body of Barbadoes laws, without omitting one. Their Lordships cannot but extremely admire the concern he expresses for the laws already transmitted, as if the want of His Majesty's confirmation, "which by your default could not have been properly desired," had deprived him of the power of making new ones or re-enacting them. [*Col. Entry Bk., Vol. VI., pp.* 251–253.]

March 10. Whitehall. **926.** Order of the King in Council on an Act passed in Barbadoes for empowering Benjamin Middleton to sell his late father's estate for the payment of his debts. Approving report of

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Lords of Trade and Plantations that said Act was fit for His Majesty's confirmation, which is confirmed and ratified accordingly, [*Col. Entry Bk., Vol. VI., pp.* 255, 256.]

March 12. **927.** The Massachusetts' Agents to the Lords of Trade and Plantations. Offer exceptions to a clause in their Lordships' report on Mr. Mason's claim, wherein they advise the King to declare, not only that the Massachusetts Government has now no right in the lands claimed (which hath been and still is acknowledged, for that the Massachusetts on the distribution of all lands whatsoever never reserved the least quit-rent to themselves, which is all the disclaimer they have made on their behalf), but also that all grants and titles deriving from them are utterly void and illegal. The Massachusetts do not understand that there is anything at present depending before their Lordships concerning the propriety of the lands claimed by Mr. Mason, the Committee having reported that they do not judge it meet to make any determination in that matter before the terre tenants are heard, who were found on the hearing before the Lords Chief Justices to be the persons immediately concerned. Have consequently no further instructions in the affair. Have not understood that the King hath required Massachusetts to defend separately from the terre tenants (who never yet had any suit commenced against them) any right to the soil, which heretofore they might have and from which those in possession may possibly derive. In what they last presented to their Lordships on Mr. Mason's petition, they did it not as empowered by the Massachusetts or Proprietors, but in observance of the Committee's commands; but now more particularly, though without instructions, they subjoin the following as of weight against the above-said intended declaration:—(1.) The declaration will be not only without answer or defence made by the Massachusetts, but also a determination of a matter of propriety between parties that have no controversy depending, for the Massachusetts detain no lands from Mr. Mason, and the inhabitants may deliver Mr. Mason possession without any obstruction from the Governor and Company. (2.) The determination of the propriety of soil is simply a matter of *meum* and *tuum*, of private right between subject and subject, and not of the same nature with that of the bounds of the Massachusetts jurisdiction, which has had its determination. (3.) The temporal estates of a great number of His Majesty's subjects, the terre tenants, are concerned, and not the Massachusetts, who never warranted any lands by them granted. It belongs also to the terre tenants to be at the whole charge of defending their title against Mr. Mason, and they should therefore be left free to plead what they please, and to choose that way in the management of their case and such agents as may seem best, that, whatever the issue, they may rest fully satisfied that they have not been prevented or restrained in the full improvement of any part of their lawful defence. Whereas by such a declaration as that advised to the King they may esteem themselves prejudged and barred in the pleading a title which they may see meet to

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insist upon. (4.) The lands claimed by Mr. Mason within the bounds of the Massachusetts being expressly mentioned in their charter, the invalidity of their grant will depend on the validity of Mr. Mason's pretended prior grant, which being the title whereby alone he claims against the terre tenants may not be judged before they be heard against it; therefore such a declaration at this time seems to go before that which is to be first determined. (5.) There can be no delay of justice by not declaring void the title of the Massachusetts, for Mr. Mason's business is with the terre tenants, with whom he may begin, as soon as he pleaseth. Are confident that their Lordships are unwilling that any clause should be inserted in their report to the prejudice of any, especially of those that are not present to interpose for themselves, or that any expressions of theirs (the agents') should be construed beyond the true meaning of it. *Signed.* 3 *pp.* [*Col. Papers, Vol. XLIII., No.* 32.]

(March 14.) **928.** Petition of John Wampus, *alias* White, an Indian and inhabitant of Boston. Became by marriage of Anne, daughter of Romanock, late Sachem of Aspaluck and Susquanaugh, on death of the said Sachem, sole proprietor of the land on which Fairfield in Connecticut is built. About 19 years since, his father-in-law having delivered up the possession of the lands to him, he sold part to Captain Dennison and Amos Richardson and others of Stonnington in Connecticut for the sum of about 530*l.* sterling. Is, by the evil practices of Major Nathan Gold and others of Fairfield, kept out of his rights, and having gone to demand possession according to the King's letter of 22nd August 1676 was imprisoned in May last, whence he made his escape to New York and is forced to come to England destitute to seek relief. Being with other native Indians miserably comprised within the laws made by the English only for their particular advantage, there being no Supreme Court of Judicature whereunto the oppressed may repair for redress, prays for the appointment of impartial persons to hear the matters in difference. *Endorsed,* "Recd. 14° Marcii $167\frac{8}{9}$." 1 *p.* [*Col. Papers, Vol. XLIII., No.* 33.]

March. **929.** The King to the Governor and Council of Connecticut. Commands them to do John Wampus, *alias* White, such justice as the case may deserve, and for the future to proceed in such manner as that His Majesty's subjects may not be forced to undertake so long and dangerous voyages for obtaining of justice. 2 *pp.* [*Col. Entry Book, Vol. LXI., p.* 36.]

March 14. Council Chamber. **930.** Sir Thomas Dolman to Henry Guy. Requesting him to procure an order from the Commissioners of the Treasury to the Commissioners of Customs to report upon the enclosed petition and state the value of the exports from Carolina for the information of the Lords of Trade and Plantations. *Enclosed,*

930. I. Petition of Réné Petit and Jacob Guerard, begging the loan of two King's ships to transport the eighty foreign

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families to Carolina, and that the expenses of the undertaking, 2,000*l.*, may be reimbursed to the adventurers out of the first receipts of the customs levied on the commodities of the settlement.

Minute by Henry Guy, referring the petition to the Commissioners of Customs, in margin of letter. Dated 31st March 1679–80. *Together*, 2 *pp.* [*Col. Papers, Vol. XLIII., No.* 34.]

March 14 **931.** Draft of the foregoing, in the handwriting of Sir Thomas Dolman. [*Col. Papers, Vol. XLIII., p.* 35.]

March 14. Whitehall. **932.** Order of the King in Council on Report of Committee for Trade and Plantations of 18th February last, touching Lord Culpeper's Commission and Instructions as Governor of Virginia. The Lords recommend that His Majesty revoke the grants to the Earls of St. Albans and Arlington, Lord Culpeper and others, according to his gracious promise made to the country, satisfying the patentees for their interests; that the quit-rents be applied to building one considerable fort; that James Town be speedily rebuilt and be the metropolis of Virginia as the most ancient and convenient place; (the Lords cannot advise that displaced Councillors should be incapable of being chosen into the Assembly as in Jamaica); that all persons, of what degree or quality soever, be obliged to take the oath of allegiance; that equipment be sent for 200 dragoons with tents, to enable the Governor to mount foot soldiers to prevent incursions from the Indians; that after Lord Culpeper's departure, a mace and a sword be sent to Virginia with furniture for his Lordship's chapel, also that the presents to the Indian Princes be forthwith delivered to his Lordship; that all writs be issued in His Majesty's Royal name only; that Sir Henry Chicheley, Colonels Nathaniel Bacon, William Cole, Daniel Parks, Thomas Swann, Robert Smith, Nicholas Spencer, Rowland Place, Ralph Wormley, Augustine Warner, Jos. Bridger, Major Richard Lee, Major-General Curtis, and Francis Leigh be continued in the Council; that Colonels Ballard, Bray, and Philip Ludwell, for their unworthy behaviour and demerits, be deprived of that honour and trust; and that Colonel Robert Beverley, Clerk of the Assembly, and Colonel Edward Hill, President of Charles City County, who "have appeared unto us under a character of evil fame and behaviour in their respective offices," be put out of all employment and not admitted to any place of trust until His Majesty's pleasure be further known; and that Lord Culpeper be ordered, on his arrival in Virginia, to signify His Majesty's high resentment of the disloyal and seditious declaration of the Assembly, about His Majesty's Commissioners, calling for their original journals, &c., and find out the authors and abettors thereof, that they may receive the marks of His Majesty's displeasure for this their great presumption. *Ordered*, that Lord Culpeper's Commission and Instructions be prepared accordingly, and Henry Meese be added to

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the list of Councillors for Virginia. 7 *pp.* [*Col. Entry Bk. Vol. LXXX., pp.* 266–273.]

March 15. Nevis. **933.** Governor Stapleton to Lords of Trade and Plantations. Sends plans of a fort which is to command all ships riding at anchor in the Port. As yet the work is gone little further than the design, the purses of the people being weak. Begs that the necessity of having a good fort may be pressed upon His Majesty, or the Island may fall into the hands of the French who have always a good fleet in those parts. They are now expecting 13 sail, while there is nothing to uphold the honour of England, the Quaker ketch, itself of no credit, being gone home. Will instance nothing further, their Lordships' report of 25th April having so amply represented the Islands necessities. The rampart of the new fort is cast up and nothing wanting but the interior and exterior walls; would be well enough satisfied to erect the second, or that which the French engineers term *cordon*. Apologises for possible errors in the draft; hopes to send one for Antigua by next letter. "Received 15th May." *Endorsed*, Concerning a fort in the Island of Nevis. [*Col. Papers, Vol. XLIII., No.* 36, *and Col. Entry Bk., Vol. XLVI., p.* 355.]

March 18. **934.** Minutes of the Council of Barbadoes. Present, His Excellency Sir Jonathan Atkins, Henry Drax, Samuel Newton, Thomas Wardall, John Peers, Simon Lambert, John Stanfast, John Witham and Richard Howell. Pursuant to an Act for the more effectual putting in execution a statute of England entitled an Act for preventing dangers which may happen from Popish recusants, bearing date 19th February last, his Excellency and Council, with the gentlemen of the Assembly, took the oaths of allegiance and supremacy and likewise subscribed the test in the said Act mentioned. [*Col. Entry Bk., Vol. XI., p.* 300.]

March 18. **935.** Journal of the Assembly of Barbadoes. The House met about two o'clock and adjourned till to-morrow morning at eight.

March 19. **936.** The same. The members present (14) not being a sufficient number to make a House, adjourned to 15th April. [*Col. Entry Bk., Vol. XIII., pp.* 336–337.]

March 19. **937.** Journal of Lords of Trade and Plantations. At a Council the 19th March, on the petition of Thomas Baxter that some subsistence might be given him by New Plymouth, he having lost his fingers in the late Indian War in defence of that town, His Majesty orders a favourable letter to be written on his behalf to the Plymouth Magistrates. On the petition of John Wampus, ordered that the Lords of the Council write a letter to the Connecticut government declaring His Majesty's pleasure that justice be done to the petitioner, and that the Indians who submit themselves be made participant of his royal protection. [*Col. Entry Bk., Vol. CV., p.* 320.]

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March 19. Whitehall. **938.** Order of the King in Council on Report of Lords of Trade and Plantations. Referring to Lord Carlisle's letter of 31st July (*see ante, No.* 770) respecting French privateers, and the importance of coming to arrangement with Spain on the logwood trade, we are informed that the Spanish will not at present admit of any accommodation, which is the more reason for making the logwood trade a point in the first treaty negotiated with Spain; meanwhile, there should be no further discouragement to those engaged in the trade who may be permitted to proceed therein at their own perils; of all of which the Earl of Carlisle should be informed. *Signed*, Sunderland, Ailesbury, Essex, Craven, Clarendon, H. Coventry, J. Ernle. *Ordered*, by the King in Council, that measures be taken, and Lord Carlisle informed accordingly, also that he be instructed to induce the privateers to plant in Jamaica. [*Col. Entry Bk., Vol. XXIX., p.* 275.]

March 19. Whitehall. **939.** Order of the King in Council on report of the Committee for Trade and Plantations of 10th February last, on petition of Robert Morris, Nicholas Prinn, and John Consett (*see ante, No.* 764), approving same, and directing the Lord Treasurer to give orders for the payment of the sums awarded to petitioners as of His Majesty's bounty in consideration of their services. [*Col. Entry Bk., Vol. LXXX., pp.* 273–275.]

March 19. Whitehall. **940.** Order of the King in Council, directing Mr. Pepys, Secretary of the Admiralty, to cause the names of Robert Morris, Nicholas Prinn, John Consett, (*sic*) Grantham, and Thomas Gardner, Commanders of ships at Virginia, to be entered in the Admiralty Office in order to their being employed in His Majesty's service, when there shall be occasion to make use of them. [*Col. Entry Bk., Vol. LXXX., p.* 275.]

March 19. Whitehall. **941.** Order of the King in Council, approving report of the Committee for Trade and Plantations, of 10th February last (*see ante, No.* 887), on the petition of Elizabeth Dudley, widow, and directing Governor Lord Culpeper, on his arrival in Virginia, to cause restitution to be made to the petitioner or her assigns of the 15 hogsheads of tobacco, or the true value thereof. [*Col. Entry Bk., Vol. LXXX., pp.* 276–278.]

March 19. Council Chamber. **942.** [William Blathwayt] to the Master of the Ordnance. The Committee for Trade and Plantations having before them the despatch of Lord Culpeper to his Governmont of Virginia, desires an account of the ordnance and other stores of war delivered out of the Ordnance Office, since His Majesty's happy restoration, for the use of that Government. [*Col. Entry Book, Vol. LXXX., p.* 279.]

March 20. St. Jago de la Vega. **943.** Governor Lord Carlisle to Secretary Coventry. All is quiet here, but I am impatient to hear from you. One Captain Francis Mingham has lately been in trouble by his improvidence and reservations to elude the officer of His Majesty's Customs. The matter came to a trial in the Court of Admiralty, and his ship

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was condemned for making a false entry. Notwithstanding my kindness, whereby he was prevented of being sold according to the condemnation, he is still dissatisfied, and I believe will incense his owners to attempt your ears to inform the King. No letters from Whitehall since 5th December. [*Col. Entry Bk., Vol. XXIX., p.* 292.]

March 21. Whitehall. **944.** Order of the King in Council. That the Commissioners of the Customs do consider and report on Governor Stapleton's suggestion as to the carriage and sale of arms by ships trading to the Leeward Isles (*ante, No.* 859). [*Col. Entry Bk., Vol. XLVI., p.* 342.]

March 25. Port Royal. **945.** Account of passengers, servants, and slaves brought to Jamaica, with accounts of goods exported from 25th June 1671 to 25th March 1679—seven years and nine months. Total of Christians arrived 5,396, of slaves 11,816, of which last nearly three-fourths from Guinea, and the remainder from other plantations. A note adds that of the Christians at least one-fourth are "gone off." The exports consist of sugar 7,637¼ tons, cacao 44¾ tons, indigo 305 tons, ginger 177 tons, fustic 2,357 tons, logwood 5119 tons, tobacco 43⅜ tons, pimento 134½ tons, hides 38,587, cotton 866 bags. Last year 47 ships were laden for England in Port Royal; and 80 sail are employed in coasting traffic and trade with the Spanish, the latter to the value of 20,000*l.* in the last 16 months. The tonnage of Jamaica is so large that every ton of sugar equals at least 3,000 lbs. gross. [*Col. Papers, Vol. XLIII., No.* 37.]

March 25. **946.** Sir E. Andros to Mr. Blathwayt. I have just received yours of 2nd August by Mr. Dorrell. No alteration here since my letter of October, but every thing continues in good condition. I hope I have been a means to stop and prevent (if seconded in time) further Indian mischiefs in Virginia and Maryland, having, upon first notice from Colonel Jeffreys of some mischief by unknown Indians, taken all the care I could to be informed. Hearing in November news of some Christians brought from the southward by Indians over 400 miles northward from hence, I ordered express Christians (if to be had for so bitter and distant ill journey at such a season) or Indians to be sent to demand the Christian captives to be brought to me, and, if possible, to stop the Indians from going out again on the like design. This they were to signify from me to all other Indians above 600 miles from hence by themselves or by Indian messengers as they best could. Two Christians, speaking good Indian, one of them being the usual interpreter, undertook it. On their way, the Mohawks promised readily not to be concerned, and sent a messenger of their own to their neighbours whom they call children. These are the Oneidas, deemed the first nation of the Senecas. Notwithstanding the Mohawks' message, they were for three days very stubborn and insolent, being falsely informed that some of their number were detained at Albany; but afterwards the next nation beyond them, called the Onandaguas, drew ("drowen")

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in, submitting very much by delivering me a scalp, brought as they say against their will. The Oneidas went so far as to give up one woman out of two, and two children out of four, keeping the rest till they should hear of some of their own people whom they said they had lost in Virginia; whereof also they complain greatly, saying that they were first and without cause fallen upon and killed or taken. They promised, however, to send out no more parties. The Christians, it being midwinter and very hard and sharp weather, could get no further, but sent Indians forward to the other nations with strings of wampum in lieu of letters. They had satisfactory answers from all, and returned the beginning of January; but the Christain captives could not be brought so soon, and, hearing that half of them were detained, I insisted on my former demand, which, after much ado at Albany, they promised to comply with. I hope the captives are there by this time.

I sent to Maryland and Virginia at the same time with a particular account, desiring their result as soon as might be. They have thanked me and begged me to continue my endeavours, but refer me the one to the decision of their Assembly to be held in April or May, the other to a Council that is to be called, and to the answer that they may receive from their neighbours, while our neighbours eastward are rather more unresolved. We may therefore thank God the Indians have not been refractory, we being the smallest colony, and so dispersed and disjointed. Eastward everything is quiet since the establishment of a garrison at Pemaquid. The Massachusetts talk high of their pretended purchase from Mr. Gorges, by which they have scared several of the chiefest men of these parts into compliance with them. There will be no general friendship and safety till the differences of the colonies are adjusted. Some good Commissioners from home could easily settle it, and the Colonies as easily bear the expense. *Postscript.*—An Indian Sachem reports that the French of Canada intend this year to send a garrison or settlement into one of their towns where these Christian captives were on this side the lake. This being of import I shall endeavour to prevent, for, if effected, it will not only endanger all the Indian trade, but expose all the King's plantations upon this continent when they please, for they pretend [to acknowledge] no bounds that way. 3 *pp. Holograph. The margins all filled with writing, and but two full stops from beginning to end. Printed in New York Documents III.*, 277. [*Col. Papers, Vol. XLIII., No.* 38.]

March 25. **947.** An Act passed in the Island of Antigua empowering Nathaniel Monk to sell the plantation of Benjamin Steele and of Mary his wife, for maintenance of their children. 1679, March 25. [*Col. Papers, Vol. XXIII., No.* 110.]

March 26. Whitehall. **948.** Warrant to Sir Thomas Chicheley, Master General of the Ordnance, That whereas His Majesty has lent the ship John and Alexander to the Hudson's Bay Company for one voyage,

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he cause to be delivered to said Company for the defence of said ship the guns following with their carriages, viz., for the forecastle four sakers of 6½ foot and 10 cwt., for the steerage four sakers of 6 foot and 8 cwt., for the gun-room four sakers of 7½ foot and 16 cwt., and for the quarterdeck two falcons of 2½ cwt., the Company giving sufficient security to restore same at the end of the voyage. ¾ *p.* [*Dom. Entry Bk., Chas. II., Vol. XXIX., p.* 323.]

March 28. Office of the Ordnance. **949.** "A particular accompt of all the ordnance, arms, ammunition, and other stores and provisions of war which have been issued and delivered out of the office of His Majesty's Ordnance since his happy restoration for the use of Virginia, together with the value and time of delivery, also the names of the persons to whom delivered, and how they have been reimbursed or disposed of." The price of each article also given. 14 *pp.* [*Col. Entry Bk., Vol. LXXX., pp.* 279–293.]

March 29. **950.** The King to Governor Lord Carlisle. Care will be taken at the next treaty with Spain to settle the business of the logwood trade on as good terms as can be obtained. Meanwhile discourage logwood-cutting in the Spanish dominions so far as you can, and endeavour to induce the privateers to plant in Jamaica (*see ante, No.* 938.) [*Col. Entry Bk., Vol. XCV., p.* 167.]

April 1. **951.** The King to the Council of Virginia. His Majesty has received the ill-news of the death of Herbert Jeffreys, Governor of Virginia, and has understood by their letter to Secretary Coventry that they have received Sir Henry Chicheley as Deputy Governor according to the King's Commission under privy seal heretofore given to him. Well approves of this act of obedience. Is resolved to send Thomas Lord Culpeper, Governor, by the first ships, and His Majesty requires that all further suits relating to the late rebellion be superseded until his arrival. [*Col. Entry Bk., Vol. LXXX., p.* 304.]

April 2. Whitehall. **952.** The King to Sir Henry Chicheley, Deputy Governor of Virginia. Approves of his taking upon himself the command of the colony as Deputy Governor since the death of Lieutenant Governor Herbert Jeffreys. Intends despatching Thomas Lord Culpeper, Governor, by the next ships, with full instructions to settle matters there, and requires that all further suits relating to the late rebellion there be superseded till Lord Culpeper's arrival. 1 *p.* [*Col. Papers, Vol. XXXIV., No.* 73.]

April 2. **953.** Journal of Lords of Trade and Plantations. *Mem.*—At a Council on this day was read a paper presented by the Commissary of the Admiralty of Holland touching negroes taken off Tobago by Captain Haddock, of the Quaker ketch. Ordered, that the paper be sent to Sir Richard Haddock for his answer thereto. Their Lordships, having received a paper from the Lords

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Proprietors of Carolina touching the transportation of several foreign families thither, order the opinion of the Commissioners of Customs to be desired herein. [*Col. Entry Bk., Vol. CV., p.* 320.]

(April 2.) **954.** "The State of the business of Jamaica represented to His Majesty in Council on the 2nd April 1679." By Lord Vaughan's Commission the Assembly of Jamaica was empowered to make laws for two years by the advice and consent of the Governor in Council. His Majesty, finding the inconveniences that arose from that power and manner of making laws, was pleased, with the advice of the Committee of Plantations, to provide by the Earl of Carlisle's commission that no laws should be enacted in Jamaica but such as being framed by the Governor and Council and transmitted to His Majesty for his royal approbation were afterwards remitted to Jamaica and consented unto by the Assembly there according to the usage of Ireland. And in pursuance hereof the Earl of Carlisle carried over a body of laws which had passed the great seal of England, which laws, upon his Lordships arrival, have been rejected by the General Assembly, who have by an address declared that they contained divers fundamental errors, and that the method of passing them was impracticable.

The Earl of Carlisle has signified his opinion that the distance of the place does render the present manner of making laws impracticable, and desires instruction to call another Assembly and to re-enact and make what laws are fit for the place according to the former practice but disagreeable to his own commission. He has also transmitted the drafts of six bills, which have been examined by the Attorney-General and by him presented to the Committee of Plantations. The most material points in the said Bills are:—That the Laws of England be declared to be in force in Jamaica, which upon passing the late laws carried over by his Lordship was thought fit to be omitted; that in the Bill of settling the quit rents it is there declared that His Majesty has permitted them to apply the quit rents towards the support of the Government, which declaration was formerly disapproved by the Committee; that of the laws made by Lord Vaughan, by which the country is at present governed, many will expire in this instant April and all the rest in September following, without any power residing in the Governor and Assembly to make any other than such as are already rejected by the Assembly. This being the state of affairs in Jamaica, His Majesty's pleasure is desired thereupon. *Draft* 2 *pp. Endorsed,* "Read in Council 2 April 1679." [*Col. Papers, Vol. XLIII., No.* 39.]

April 2. **955.** Memorandum of Lords of Trade and Plantations to the Lord Privy Seal. That orders may be sent to Colonel Stapleton empowering him to take the negroes taken from Tobago by Captain Haddock, or the proceeds of their sale, and detain them until the questions of right to the negroes and of salvage have been determined by the King. [*Col. Entry Bk., Vol. XLVI., p.* 349.]

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April. 2. Whitehall. **956.** Lords of Trade and Plantations to Sir Richard Haddock. Respecting certain negroes taken off the island of Tobago by Captain Haddock, late Commander of the Quaker, ketch (*see ante, Nos.* 849, 863). It appears that Captain Haddock retained for his own use some of the negroes claimed by the Admiralty of Holland and the Lords call upon Sir Richard as one concerned therein to show cause why the said negroes or their proceeds of their sale may not be delivered to the Admiralty of Holland. Their Lordships will meet about the matter on Saturday 6th April, at which time Sir Richard's answer is expected. [*Col. Entry Bk., Vol. XLVI., p.* 348.]

(April 2.) **957.** Petition of William Downing to the King and Privy Council. In substance and in most of the language identical with the petition of 10th February (*ante No.* 886). *Signed*, Will^m^. Downing. *Endorsed*, "April 2 1679. This petition was this day read and ordered in Council to be referred to the Committee of Trade and Plantations." *Signed*, Thomas Dolman. 1 *p.* [*Col. Papers, Vol. XLIII., No.* 40.]

(April 2.) **958.** Petition of Thomas Oxford to the King and Privy Council. Petitioner and his predecessors have owned houses and stages in St. John's, Newfoundland, for seventy years past, but of late years he has not been able to call anything his own through the violence and oppression of certain West Country owners, who pretend to privilege by the King's patent not only to take petitioner's houses &c., but to injure his person, and have driven him and his family to quit the place. Last year they did such damage in several harbours that 1,500 men in the harbour of St. John's will hardly make it good. Prays therefore for a settled government with some great guns, ammunition, and an orthodox Minister, all of which the people of Newfoundland are ready to maintain at their own cost. Endorsed as the previous paper. [*Col. Papers, Vol. XLIII., No.* 41.]

April 3. [Montserrat.] **959.** An Act passed in the island of Montserrat on 3rd April 1679 against negroes wandering and the concealers thereof. [*Col. Entry Bks., Vol. LX., pp.* 237, 238, *and printed in Vol. LXV., pp.* 34, 35.]

April 4. Whitehall. **960.** Journal of Lords of Trade and Plantations. The Committee met pursuant to Order in Council of 2nd instant to agree upon instructions to be given to the Earl of Carlisle relating to the present way of making laws in Jamaica. His Lordship's letter of 24th October read, and the address of the Jamaica Assembly read, with other papers. Ordered, that a paper be prepared to combat the objections set forth in the address against the present method of making laws, which paper their Lordships will advise to be sent to Lord Carlisle with directions to communicate such part of it to the Assembly as he shall think fit, and inform them that unless they consent to the laws transmitted thither the King will govern the

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Island according to the Commission formerly given to Colonel Doyley and others, and reduce all things to the first principles of that Government. Mr. Secretary Coventry to acquaint Lord Carlisle accordingly this afternoon, directing him also to continue meanwhile the laws enacted by Lord Vaughan by proclamation or otherwise, and to send the Act of Impost lately passed by first opportunity. 2 *pp.* [*Col. Entry Bk., Vol. CV., p.* 321–323.]

April 4. Whitehall. **961.** Order of the King in Council on report of Lords of Trade and Plantations. Having considered the present state, constitution, and Government of Jamaica, pursuant to your Majesty's order, we see no reason for altering the method of making laws according to the usage of Ireland. We are preparing our reasons. Meanwhile as a ship is lying in the Downs bound for that Island, we recommend that Mr. Secretary Coventry do advise Lord Carlisle at once of your Majesty's pleasure, and that meanwhile the present laws enacted by Lord Vaughan be continued by proclamation or otherwise, also that Lord Carlisle send by prior conveyance authentic copy of the lately enacted Act of impost. Ordered that Mr. Secretary Coventry do instruct Lord Carlisle accordingly. [*Col. Entry Bk., Vol. XXIX., p.* 284.]

April 4. **962.** Secretary Coventry to Governor Lord Carlisle. Enclosing copy of the foregoing Order in Council and recapitulating the same. "If your Excellency should chance to cast your eye first upon the "enclosed Order in Council the material part of my work would be "thereby done." [*Col. Entry Bk., Vol. XCV., pp.* 288, 289.]

April 4. **963.** Minute upon the seizure of certain sugar passing from the French to the English in St. Christophers, by Jean Cloche, advocate in the Parliament of Paris, and director of the farm of the Royal estate of the West in the Islands of America, Nicholas Lemasle, commissioner of the said estate in the Island of St. Christophers. The document recounts that abovenamed went on a tour of inspection on 1st April to see how the French marine forces fulfilled their duty for the interruption of commerce, being specially moved thereto by news of Dutch ships coming from St. Eustatius loaded with sugar; that at Palmeto Point the guard showed them a mare laden with sugar which had been stopped half-an-hour before while going into the English quarter. This mare the said Cloche ordered to be led to the King's office, approving the capture of the same, and declaring it to be good in accordance with the decrees of His (French) Majesty's Council. *Follows a representation, dated 4th April, addressed to Mons. Dupas, Judge civil and criminal in the Island of St. Christophers, by the same Jean Cloche.* He apologises for the delay in following up the foregoing *procés verbal*, which delay was caused by the feast of Easter, but now prays for the confiscation of the captured mare, as a severe example is wanted. The Dutch in defiance of the King's orders are continually negotiating to carry on trade with St. Christophers, and the factors are too ready to consent to the ruin of their masters and correspondents. Cloche asks per-

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mission to try and discover who is responsible for the present passing of merchandise to the English that he may be punished accordingly. *Signed,* Cloche. *Follows the judgment of Mons. Dupas ordering the confiscation of the mare and granting Cloche the permission for which he asks.* 4th April 1679. Signed by Cloche with the name of Dupas. *Added in Cloche's handwriting a postscript,* assuring Governor "Mathieu" (Abednego Matthew) that the proceedings are legal, and that nothing therein strikes at his authority or the inviolable union between the two nations. To-morrow Cloche hopes to explain the whole business when he shall have received permission from the Chevalier de St. Laurens. *French.* 3 *pp. Endorsed,* "Judgment in French concerning the seizure of sugars passing from the French to the English in St. Christophers. Recd. 13th Aug. 1679." [*Col. Papers, Vol. XLIII., No.* 42.]

(April 4.) **964.** Translation of the foregoing, apparently made by a Frenchman, *headed,* Translate of a Process upon seizure of Sugar in St. Christopher's. Recd. 13th Aug. 1679. [*Col. Papers, Vol. XLIII., No.* 43.]

April 5. Whitehall. **965.** Journal of Lords of Trade and Plantations. Mr. Scut and Mr. Perrot appearing on behalf of the Newfoundland fishing ships, Mr. Downing and Mr. Oxford on behalf of the Newfoundland people, attended. Order in Council of 16 January 1678 read, directing the Committee to examine and report on the business of Newfoundland. Petitions of William Downing and Thomas Oxford likewise read, praying that a Governor, fortifications, and a minister may be provided for the security of the country. Thomas Oxford makes oath that the western ships proceed on their voyages before the time appointed by the Charter, and that in February last he met twenty-five sail belonging to Dartmouth at sea, and having hailed them understood they were on their way to Newfoundland. After many discourses and arguments the Western Adventurers ask six weeks time to prepare themselves, and to give notice of His Majesty's orders to their correspondents. But it appearing that this order was delivered to Mr. Rider, Recorder of Dartmouth, twelve months past, and that these gentlemen had summons to attend upon it by letter of 10th February last, and looking to the necessity for despatch of the business by reason of the shipping and convoys that are shortly going on this voyage, their Lordships order both parties to attend on the first Saturday after Easter and bring in such proposals as they think fit for the security of the country and trade. 2 *pp.* [*Col. Entry Bk., Vol. CV., pp.* 323-325.]

April 14. Whitehall. **966.** Journal of Lords of Trade and Plantations. Lord Culpeper's commission prepared by the Committee is read, but it being doubted whether the same, being only during pleasure, might not prejudice His Lordship's former grant of the Government, which is during life, Ordered, that Mr. Attorney-General prepare such clauses and provisoes as may secure his Lordship's right. Lord

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Culpeper's instructions read and approved. Their Lordships, taking notice of the complaints made in Virginia of the heaviness of taxes raised by poll, order an instruction to be prepared that his Lordship recommend to the Assembly the finding out a more equal and easy way for levying money. Secretary Coventry acquaints the Committee, in reference to Robert Ayleway's petition, that the place of auditor of Virginia had been formerly possessed by Colonel Nathaniel Bacon and confirmed to him under His Majesty's Sign Manual in 1675, and that Ayleway's patent ought to be void, as obtained without a knowledge of the right already invested in Bacon. [*Col. Entry Bk., Vol. CV., pp.* 325, 326.]

April 14. Custom House. **967.** Commissioners of Customs to Lords of the Treasury Report on the petition of Réné Petit and Jacob Guérard. The quantity of tobacco grown in Carolina is considerable and annually increases, but the books of the Custom House give no clue to the receipts for the same, for owing to the badness of the harbours in Carolina most of the tobacco is carried in sloops and small ketches to Virginia and New England and shipped to England from thence. Would observe (1) that the Protestant families referred do not at present appear to be in parts beyond the seas, in which case it would be a good work to encourage them not to settle in Carolina, but to be settled in England. Too many families already betake themselves to the Plantations and Ireland to the unpeopling and ruin of England, and this tendency should be checked rather than encouraged. If the families are not settled in England, that is another matter; by all means let them be encouraged. (2) The Proprietors and not the King should bear the expense of the undertaking. (3) The Customs on tobacco are so considerable, twopence per pound, that it would be an injustice to other tobacco-growing colonies to permit her to import tobacco custom free. Moreover it would lead to fraud, for the tobacco of neighbouring colonies would be shipped in small vessels to Carolina and exported to England as of the growth of Carolina. (4) If His Majesty do anything for the petitioners, let him grant them a proportion of the customs derived from the produce which they assert to be peculiar to them,—wine, oil, and silk,—and take precautions that no such commodities be accepted as the produce of Carolina without proper authentication. *Signed*, Richard Temple, Fr. Millington, G. Downing, Ch. Cheyne, John Upton. [*Col. Papers, Vol. XLIII., No.* 44.]

April 14. Custom House, London. **968.** Commissioners of Customs to Commissioners of the Treasury. In answer to your Lordships' commands of 21st March (*see ante, No.* 944) respecting a proposal that the master or merchant of every ship trading to the Leeward Islands should carry a certain number of arms for sale therein, we report that there is no law by which merchants and masters can be compelled so to carry arms, but we doubt not that if His Majesty give them liberty to ship them off for three years custom-free, in numbers not exceeding those already suggested, and taking out a free warrant as in case of

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bullion, the merchants will be most likely to be encouraged to do what is required, and the loss to His Majesty's customs will not be great. *Signed*, Richard Temple, Ch. Cheyne, Fr. Millington, John Upton. [*Col. Papers, Vol. XLIII., No. 45, and Col. Entry Bk., Vol. XLVI., p.* 344.]

April 15. **969.** Journal of the Assembly of Barbadoes. Having sat three several times by adjournment, the House according to the rules proceeded to election of a Speaker, and Colonel Richard Guy was chosen. Voted that any member upon breach of the rules shall not be admitted to composition or mitigation of the penalties imposed. Letter read from the House to Sir Peter Colleton and Colonel Henry Drax, containing the heads of several addresses needful to the good and benefit of the island. The letter read, of which the following is an abstract:—As free trade cannot be obtained with Scotland, that His Majesty be moved to license six ships yearly at least for that trade to bring recruits of white people, the want of whom is become an apparent hazard of the place in regard of dangers from without and much greater from within. That it be represented how poorly this island is supplied with negroes, how bad and useless the sorts that are brought, and how invincible is the trouble, slavery and attendance to the planter to procure them after they come. Whether the Royal African Company cannot be divided into sundry and separate stocks and jurisdictions, whereby the advancing the trade on the coast of Africa will not receive any disadvantage and His Majesty's revenue will be doubled. That the Commissioners of the Customs of 4½ per cent. adopt the method established by Lord Francis Willoughby and that the same may be collected without the trouble they complain of and adjust the whole matter with the Lord Treasurer. That the jurisdiction of the Court of Admiralty in this island be regulated. To apply for His Majesty's favour in setting a moderate custom on rum, the native produce of this island, that they may be enabled to transport it into England on reasonable terms, and in the room of French brandy supply it to His Majesty's fleet and other occasions. That laws appointed for the security of the island be not frustrated. The same privilege in point of trade as enjoyed by Tangiers. In order thereunto have appointed thirty butts of sugar to be consigned to them. As they have trade to Ireland for beef, desire it for tallow, without which they cannot work. That the Council be desired to concur with and sign this letter.

April 16. Provision to be made for a Habeas Corpus; that fairs be appointed. Proceedings on reviving the Act empowering a Committee for settling public accounts. The Council signifying their dislike of some part of the letter of the Assembly to Sir Peter Colleton and Colonel Drax, yesterday communicated to them, sent one of their own drawing which, if the Assembly would join, they were ready to sign. Said letter read and after debate agreed by general consent that it pass. Then was read another letter to said gentleman in London, expressing the entire confidence of the Assembly in their abilities, faithfulness, and care to appear in their

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behalf before His Majesty and Council and all other places they judge needful and convenient, and sending him thirty butts of sugar to lay out to their best advantage. Said letters were then presented to the Council, seven of whom signed, and also Richard Guy, Speaker of the Assembly. Ordered, that John Hallett send to Mr. Chaplin, of London, the proceeds of arms sold by the several Colonels and also what remains due upon his account for arms sent for by his Excellency. Adjourned to Tuesday come seven weeks (10th June). [*Col. Entry Bk., Vol. XIII., pp.* 338–346.]

April 16. **970.** Petition of John Van Wachtendonck, Commissary for the States General, and William Freeman, agent for Colonel Stapleton, Governor of the Leeward Islands. Having now agreed about the dispute in respect of the negroes taken from Tobago by Captain Haddock (*see ante, Nos.* 863, 955, 956), pray that Colonel Stapleton may be empowered to receive all the negroes and the proceeds of such of them as may have been sold, and to keep them in his possession, or that the executors of Captain Haddock give security in the London Court of Admiralty to answer the value of the negroes detained by him when the right of them shall have been decided by their Lordships. *Signed* by Wachtendonck only. [*Col. Papers, Vol. XLIII., No.* 46, *and Col. Entry Bk., Vol. XLVI., p.* 346.]

April 16. Whitehall. **971.** Journal of Lords of Trade and Plantations. Petition of John van Wachtendonck, Commissary for the States General, and of William Freeman, Agent for Colonel Stapleton, read, and petitioners called in, together with Sir Richard Haddock, appearing on behalf of Captain Haddock. Their Lordships, with the concurrence and consent of Sir Richard Haddock, agreed to move His Majesty to comply with the prayer of the petitioners. Order in Council to carry out their Report on the same day.

Three Acts for Virginia, for Revenue, Naturalization, and Oblivion read, and, with several amendments, approved. Agreed also that several laws made by Sir William Berkeley on 20th February 1676 be repealed, according to an instruction given to Lord Culpeper. List of the Acts, nearly all dealing with the rebellion. His Lordship's Commission and Instructions being settled, agreed to send the same to Secretary Coventry for transmission with all convenient speed; also to warn the Master of the Ordnance to take care to change the powder now in Virginia. Ordered in Council same day and papers delivered to Secretary Coventry on 20th April. [*Col. Entry Bk., Vol. CV., pp.* 326–328.]

April 16. **972.** Order of the King in Council, on the petition of Johan von Wachtendonck, That Colonel Stapleton be ordered to take the negroes or the proceeds of the sale of them into his possession, and detain them until the question be settled. Letter to Governor Stapleton accordingly. [*Col. Entry Bk., Vol. XLVI., pp.* 350–352.]

April 16. Whitehall. **973.** Order of the King in Council. That Lord Culpeper's Commission and Instructions, and the Acts of Oblivion and

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Naturalization be transmitted to Secretary Coventry to be despatched with all convenient speed. [*Col. Entry Bk., Vol. LXXX., p.* 312.]

April $\frac{17}{27}$. Barbadoes. **974.** Governor Sir Jonathan Atkins to Lords of Trade and Plantations. Has received no commands from them for a long time, which confirms his opinion that affairs at home are very impulsive upon their Lordships and far more considered than these foreign dependencies which are of much less moment. Hear nothing more of the French, but are well resolved as to their mutual defence. Not three persons have refused to take the oath of allegiance and supremacy except the Quakers who are in no places of trust. Has sent all the laws in force; they are never under the seal of the Island, but are signed by the Governor and read in every church of the island when they pass for laws. No laws ever sent home by any preceding Governors; he has sent home all made since he was Governor which have lain some of them before their Lordships more than three years and no conclusion made, to the great confusion of the people and privilege of the country. Begs their Lordships to solve this most important impediment. Has taken the oath, which is recorded amongst the public records of the island. Sir Robert Hacker, recommended to be one of the Council, died before he was sworn, so there is still a vacancy, and Colonel Drax is going for England, so will hardly be able to make a Council. If the Council be under nine, the Governor may swear one with a proviso that the King confirm him. Will get no man to undertake it on those terms, for no man will be content to be a mock councillor. "Rec. 11 June." [*Col. Papers, Vol. XLIII., No.* 47, *and Col. Entry Bks., Vol. VI., pp.* 257–260., *and Vol. CVI., p.* 187.]

April 20. St. Jago de la Vega. **975.** Governor Lord Carlisle to Lords of Trade and Plantations. Is heartily sorry at the occasion of their Lordships being so much burthened with the late troubles of England that the small grievances of Jamaica can scarce find or expect time or place for redress. Has let pass no opportunity of keeping the state of affairs before Secretary Coventry, and cannot forbear to remind their Lordships that the Island, if encouraged and not neglected, may prove a considerable advantage to the Crown, as Sir Francis Watson can inform them at large. [*Col. Papers, Vol. XLIII., No.* 48, *and Col. Entry Bk., Vol. XXIX., p.* 316.]

April 22 Barbadoes. **976.** Governor Sir Jonathan Atkins to William Blathwayt. Has sent his taking the oath authenticated under the hand of the Secretary in whose hands the records are. *Enclosed,—*

976. I. Certificate by Edwyn Stede, Deputy Secretary, that the oath taken by Governor Atkins, relating to encouraging shipping and navigation, is entered in the records of the Secretary's Office of the Island. "Rec. 11 June." [*Col. Papers, Vol. XLIII., Nos.* 49, 49 I., *and Col. Entry Bks., Vol. VI., p.* 260, *and Vol. CVI., p.* 18.]

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April 22. Whitehall. **977.** Journal of Lords of Trade and Plantations. Order in Council constituting the Committee of Trade and Plantations, to consist of the following members: Heneage, Lord Finch, Lord Chancellor; Anthony, Earl of Shaftesbury, Lord President of the Council; John, Duke of Lauderdale, Secretary of State for Scotland; James, Duke of Ormond, Lord Steward of the Household; Charles, Marquess of Winchester; Henry, Marquess of Worcester; Henry, Earl of Arlington, Lord Chamberlain; John, Earl of Bridgewater; Robert, Earl of Sunderland, one of His Majesty's Secretaries of State; Arthur, Earl of Essex, First Lord of the Treasury; Earl of Bath; Thomas, Viscount Fauconberg; George, Viscount Halifax; Henry, Lord Bishop of London; Denzil, Lord Hollis; William, Lord Russell; William, Lord Cavendish; Henry Coventry, esq., one of His Majesty's principal Secretaries of State; Sir John Ernle, knight, Chancellor of the Exchequer; Edward Seymour, esq.; and, Henry Powle, esq.; or any three of them. Their Lordships to meet at least once a week and report to the King in Council from time to time. *Mem.*—That on the Friday following Sir William Temple, Baronet, was added to the Committee, as also the Lord Roberts on the 27th June 1679. [*Col. Entry Bk., Vol. CVI., pp.* 1, 2.]

April 23. **978.** Report from the Commissioners of the Treasury on the proposal made in Council on 21st March, that merchant vessels trading to the Leeward Islands shall carry arms for sale. Enclose the Report of the Commissioners of Customs (*see ante, No.* 968). *Signed,* Essex, L. Hyde, J. Ernle, Ed. Dering, S. Godolphin. [*Col. Papers, Vol. XLIII., No.* 50, *and Col. Entry Bk., Vol. XLVI., p.* 342.]

Order in Council of same date to carry out said proposal. [*Col. Entry Bk., Vol. XLVI., p.* 346.]

April 29. Whitehall. **979.** Journal of Lords of Trade and Plantations. Their Lordships met to settle the regulation between the Adventurers and Planters of Newfoundland. Mr. Scut and other merchants appear on behalf of the Adventurers; Mr. Downing and Mr. Oxford on behalf of the Planters. The merchants, on being asked whether they had received any orders from the western towns to make any proposals for the settlement of the fishery and colony, replied that, having acquainted their correspondents therewith, they had only declared themselves resolved to rely upon the validity of their charter without agreeing to any qualification whatever. Whereupon was read the Report of 15th April 1675, letter from Sir John Berry of 12th September 1675, with Sir William Poole's answer to heads of inquiry. Their Lordships put two questions to the parties, (1) what prejudice the planters can do to the fishing trade? (2) whether Newfoundland and the fishery can be secured to England without a colony? The merchants reply that the planters disturb their fishery and bring provisions from New England; and that for the security there needs no other defence in the winter than the ice, which renders the ports inaccessible, but that in

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summer possession can only be maintained by the fleet of fishing ships that goes thither yearly under the King's convoy. Their Lordships after debate came to no resolution hereon. *Mem.*—On the 12th May two copies of the heads of inquiry were sent to Mr. Pepys to be delivered to the convoys going to Newfoundland. [*Col. Entry Bk., Vol. CVI., pp.* 3, 4.]

[April 29.] **980.** Proposals of William Downing and Thomas Oxford, acting for the inhabitants of Newfoundland, to the King and Privy Council. St. John's is a harbour so strong by nature that 25 great guns and 200 small arms would make it safe; more small arms would be required to defend the Que de vide Creek, which is important. Carbonere, in the Bay of Conception, 12 leagues from St. John's, should be fortified with 15 great guns and 80 small arms. Salvadje, 40 leagues north of St. John's, requires 10 great guns and 50 small arms. Ferry Land, 13 leagues south of St. John's, 17 great guns and 100 small arms. Formous, 16 leagues south from St. John's, 88 great guns and 60 small arms. Which of these harbours besides St. John's shall be fortified is left to their Lordships. A selected Government should be established to protect the country against foreign enemies, and in particular the French, and against the oppression of the west country owners. The inhabitants will be willing to do their duty alike by the King and the fishermen. *Endorsed,* "Recd. 29 April 1679." [*Col. Papers, Vol. XLIII., No.* 51.]

May 1. Whitehall. **981.** Lords of Trade and Plantations to Governor Stapleton. Informing him of the proceedings relative to the Tobago negroes (*see ante, No.* 972), and that the King has ordered that the arms he desired may be exported custom free (*ante, No.* 978), and acknowledging receipt of his letter of 20th January. *Précis only.* [*Col. Entry Bk., Vol. XLVI., p.* 354.]

May 1. **982.** Memorandum.—On the 1st of May a letter was written to Sir Jonathan Atkins giving him an account of the change in the Privy Council, and of the constitution of the Committee of Trade and Plantations under the same regulation as formerly. [*Col. Entry Bk., Vol. CVI., pp.* 10, 11.]

May 1. **983.** Memorandum of receipt by James Kynvin of papers from William Blathwayt relating to the case of the Widow Dudley of Virginia, including her petitions to the King, Sir William Berkeley, and the Commissioners of Virginia. Together, 6 papers. [*Col. Papers, Vol. XLIII., No.* 52.]

May 1. Jamaica. **984.** Nominal roll of Sir Henry Morgan's company of foot. Lieutenant-General the Right Hon. Sir Henry Morgan, Knight, Captain; Ralph Fetherstonhaugh, Lieutenant; Uther Tyrrill, Ensign. 3 serjeants, 3 corporals, 2 drums, 100 private soldiers, all completely armed; the muster being for 123 days, from the 1st of May to the 1st of September inclusive. *Parchment. Signed,* W. Delamayne. [*Col. Papers, Vol. XLIII., No.* 53.]

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May 7. Whitehall. **985.** Warrant to Heneage Lord Finch, Lord Chancellor, to pass under the Great Seal three laws for the Colony of Virginia,—An Act of Oblivion,—of Naturalization,—and for a Public Revenue to be raised in Virginia. [*Col. Papers, Vol XLIII., No.* 54, *and Col. Entry Bks., Vol. XCV., p.* 169, *and Vol. LXXXVII., p.* 1.]

May 11. **986.** Charles Van Benningen, Ambassador Extraordinary of the United Provinces, to Lords of Trade and Plantations. In the war of 1674 the States-General became masters by force of arms of the fort of the French in Acadia or Nova Scotia, and gave, in September 1676, John Rodes, an Englishman, commission to trade with the natives therein. But now Captain Hampton, commanding a British fort in the neighbourhood, has by force of arms seized the said Rodes and his ship and detained him prisoner, an open violence and injustice which is contrary to His Majesty's intentions. Asks the release of Rodes and the issue of orders forbidding future molestation of the Dutch in Acadia. *Translation. Subscribed,* With a minute by Sir R. Southwell that the above was read in Council 21 May, and referred to the Lords of Trade and Plantations for their report. 1 *p.* [*Col. Papers, Vol. XLIII., No.*55.]

May 11. **987.** The original of the foregoing in French. *Signed.* [*Col. Papers, Vol. XLIII., No.* 56.]

(May 12.) **988.** Estimate of monthly charge for maintaining at sea three fourth and three fifth rate men-of-war for the security of the Leeward Islands, manned (according to the establishment for war abroad) with 200 men for each fourth-rate and 110 men for each fifth-rate, making in all 930.

	£	*s.*	*d.*
Wages of the men at 30*s.* per man per month of 28 days - - -	1,395	0	0
Victuals with extraordinary necessary money and contingencies, 20*s.* per man per month - - -	930	0	0
Wear and tear of ships, at 30*s.* per man per month - - - -	1,395	0	0
Total per month -	£3,620	0	0

Endorsed, "Recd. from Mr. Pepys 12 May 1679." [*Col. Papers, Vol. XLIII., No.* 57, *and Col. Entry Bk., Vol. XLVI., p.* 387.]

May 13. **989.** Minutes of the Council of Barbadoes. Edwyn Stede this day took the oaths of allegiance and supremacy, as also the oath of a Councillor in this Island, and took his place in Council accordingly. [*Col. Entry Bk., Vol. XI., p.* 301.]

May 16. **990.** Order of the King in Council, that the complaint of the inhabitants of the Bermuda Islands be referred to the Lords of Trade and Plantations with copy of their petition. *Signed,* Robert Southwell. *Annexed,*

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990. I. The petition referred to, from the Freeholders, Inhabitants, and Merchants. In the 13th year of his reign King James the First granted certain privileges to the proprietors to make laws for Government, provided that they were not contrary to the law of England, in virtue of which many good and wholesome laws have been enacted by the Governor, Council, and Assembly. Since then many of the proprietors have disposed of their interest to merchants and inhabitants of Bermuda, the latter believing that they would enjoy the benefit of the laws above mentioned; but now the Company in London contrary to all law and justice have given orders to their officers in Bermuda to dispossess the inhabitants of their freeholds or estates without any trial at law whatsoever, and have ordered that no more Assemblies shall be convened, so that the inhabitants for want of any Assembly to press their grievances are almost ruined by the unjust taxes imposed upon their commodities by order of the London Company, and His Majesty's poor subjects are made slaves as enclosed documents will prove. They therefore pray relief. *Signed*, John Stow, Thomas Smith, Christopher Smith. "Recd. 14th June." 1 *p.* [*Col. Papers, Vol. XLIII, No.* 58, *and Col. Entry Bk., Vol. XVII., p.* 62.]

990. II. The aggrievances and complaints of the freeholders, etc. against the Company: (1) The dispossession without trial at law above mentioned. (2) That many ships bound from Jamaica and other parts to the Port of London with full freight prove so leaky that they cannot keep the sea being destitute of provisions and water and ready to perish, and yet would not put in for relief to obtain what they want and pay punctually for the same, because the Governor and officers of Bermuda have forbidden them to come in unless on payment of dues as trading vessels, which is unreasonable. By this means many ships are constrained to run great hazards which might be spared, to the refreshment of the crews and the relief of the people of Bermuda. (3) The Company has ordered the freeholders, merchants, and planters to pay fourpence on every gallon of rum imported from Barbados, notwithstanding that the King's 4½ per cent. is paid by the owner thereof before he can obtain a cocquet for shipping the same. (4) The Company is bound by the Letters Patent to provide the inhabitants with ships, yet during the late Dutch war it never sent a ship in two years' time, so that the inhabitants are destitute, not only of merchandise, but of arms and ammunition. Yet they were not permitted to consign their tobacco for the port of London in their own vessels or any other, but must keep it till it perish and be utterly lost, notwithstanding that security was tendered for His Majesty's customs.

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(5) The inhabitants have no redress, the Company's own book of laws being designed to stifle their rights and privileges. (6) The inhabitants frequently have occasion to petition His Majesty for relief from many injuries, but the present Government will not suffer such petitions to come for England, unless allowed and approved by them; and if the scope of the petition touch the Government for its illegal proceedings, then it must not be put into the Company's box nor allowed of, and so the petitioner's cry is not heard and unrelieved; for, if the petitions come not in the Company's box, by the allowance of the Government and Council here, the foresaid petitions are slighted, buried in oblivion, and never read. (7) By the Letters Patent, the fourth part of the island is allotted for defrayal of its public charges, yet the Government do meet, sit, and tax the inhabitants to pay a general levy, as they call it, both by the land and by the poll, and upon refusal of payment attach and condemn the goods of persons so refusing, and keep the same till they will pay or imprison them till they do. (8) The Company have made a law forbidding the importation of any dry goods whatsoever from the English plantations, either Jamaica, Barbadoes, or the Leeward Islands, on pain of forfeiture of ships and cargo. (9) The Company prohibits the inhabitants from building vessels for their own relief, to the discouragement of navigation and trade, that so the inhabitants shall have neither ships nor goods but what shall come from them when and at what rates they please. (10) The inhabitants do greatly groan under the burden of a want of free trade to dispose of their commodities for their own advantage where and to whom they please, paying His Majesty's customs, and under the compulsion to send it to the port of London, though it will bring the owner in debt, for no other purpose than that the Company may have a third part of the value of the tobacco for duties, as they call it. By such means the planters are discouraged from planting great quantities for freighting many vessels, since they can have but one yearly. (11) The inhabitants complain that they are prohibited from carrying on the whale fishery, which tends to the increase of the King's customs, of navigation and trade, the employment of the inhabitants, and the enriching of the island. *Signed*, John Stowe, Thomas Smith, Richard Mathalin, Christopher Smith. 4½ *pp.* [*Col. Papers, Vol. XLIII., No.* 58, *and Col. Entry Bk., Vol. XVII., pp.* 65–69.]

May 16. Whitehall. **991.** Order of the King in Council. That Captain Rudge of the Hopewell, lately come from Virginia, and able to give information concerning the state of that Colony, attend the Lords of Trade and

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Plantations on the 20th May instant. [*Col. Papers, Vol. XLIII., No.* 59.]

May 19. Whitehall. **992.** The Lords Proprietors of Carolina to the Governor and Council of Ashley River. Former instructions respecting land-grants revoked. Looking to the remoteness of families one from another, by reason of the great tracts of land possessed by men who will not be able for a long time to stock them fully, it is ordered that every free person arriving in Carolina after 25th December shall have but 70 acres of land, and but 70 acres more for each man servant, 50 acres for every woman servant or man servant between the ages of twelve and sixteen, and 60 acres to his or her proper use on the expiration of their time. The Proprietors are informed that, to evade their instruction that no man under the degree of a Proprietor, Landgrave, or Cacique, shall have above a fifth part of the depth of his land to the river, the Governor and Council have suffered people to take up the land by several warrants, whereby they obtained a much greater proportion of land on the river than they would have had if they had taken up their land all by one warrant. Such a proceeding will make the land thinly peopled, and is in no way pleasing to the Proprietors. They expect the Governor to be more careful in husbanding their land, or they will be forced to find others that will. They are further informed that many persons who arrive to plant, spend their time idly, and consume what they bring with them, and then, finding themselves unable to quit the place, lay the blame on the soil and the country. To remedy this, all new comers are to be called upon to employ themselves in planting provisions. Ten barrels of gunpowder are sent herewith, but the Colony, for the future, must provide herself with such things at the public charge. Some Indian trade also is sent to Mr. Perceval and Mr. Maurice Mathewes to purchase from the Indians the land of Adisto ("Edistoh") or Colleton River. 1½ *pp. Sent per* Captain John Comins. [*Col. Entry Bk., Vol. XX., pp.* 141, 142.]

(May 19.) **993.** The King to Sir Jonathan Atkins, Governor of Barbadoes. Strictly charges, authorizes, and commands him to pay all sums of money, goods, and other things for which he is accountable to His Majesty for his part or share of the negroes belonging to interlopers condemned in that island, to Anne, Countess Dowager of Bristol, her executors or assigns, to whom the King has granted the same. [*Col. Entry Bk., Vol. VI., pp.* 262, 263.]

May 20. Virginia. **994.** Governor Sir Henry Chicheley to Secretary Coventry. Encloses letter from the Grand Assembly of Virginia to the King, being a compendious narrative of the country's suffering and its application for relief, and would enlarge thereon to Secretary Coventry's worthy self, Virginian affairs being his special department. This sessions the Assembly has received complaints from the counties of York, Nancimond, Isle of Wight, and James City as to the quar-

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tering of the King's soldiers. Isle of Wight and Nancimond received command from the late Lieutenant Governor to quarter and provide for Major Mutlow's company from 14th July 1677 to 16th January 1678, for which they are still indebted to the inhabitants for 249*l.* 6*s.* 3*d.*, as certified by the hand of Lieutenant John Tong, of that company. York and James City have so far had no satisfaction for twelve month's quartering of the King's troops under command of Captain William Morris, whose pay is not yet arrived for any part of that time. Hence inhabitants and soldiers are equally distressed. Also the late troubles and distractions, with the frequent incursions of Indians on the frontier and murder of the whites thereon, have so much impaired the stocks that the remnant thereof will barely give assistance for defence of the country and support of the families therein. Hence begs Mr. Secretary to further the humble motion to the King for release from all arrears of quit-rents. 2 *pp.* [*Col. Entry Bk., Vol. LXXX., pp.* 360, 361.]

May. **995.** Sir Henry Chicheley and Mathew Kemp, Speaker of the Assembly of Virginia, to the King. The late intestine divisions of the Colony and the charge of a tedious war with the Indians have reduced them to a poor and distressed state, and to supplicate in behalf of His Majesty's soldiers and themselves. Pray for a remission of all arrears of quit-rents and for the supply of the excessive charge they must necessarily undergo in defence of their frontiers. Read in Council 25 July 1679. [*Col. Entry Bk., Vol. LXXX. p.* 362.]

May 20. Whitehall. **996.** Journal of Lords of Trade and Plantations. Information of Captain Rudge of the ship Hopewell, summoned by Order in Council of 16th instant. Left the falls of James River in March last; understood that the Indians who had lately made peace with the English had committed great disorders, killed several people, and totally ruined the estate of Colonel Place; the country in great alarm of an Indian attack in the summer; eight or ten thousand Indians in the Blackwater, on the northern border of Carolina. The people not yet reconciled to each other since the rebellion, which bred a deal of bad blood; Assembly to meet 20th May; the present Governor, Sir Henry Chicheley, very old, sickly, and crazy. Captain Rudge's report confirmed by several other masters of ships trading to Virginia. Information of Captains Grantham and Rider, lately returned from York River, Virginia. Report of great incursions of Indians about the Rappahannock; alarm of a summer attack so great that people were leaving their plantations for a safer part of the country. Lord Culpeper and the captains represented the danger to ships trading to Virginia from the Algerines, who are now very strong and come into the channel, and asked for a convoy. The Committee agreed to lay the matter before the King. Secretary Coventry presented a petition from Bartholomew Price, guardian to John Jeffreys son of Colonel Herbert Jeffreys, late Governor of Virginia, complaining of the hard usage received from Colonel Spencer, attorney to Lord

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Culpeper, who proceeded against Mrs. Jeffreys on pretence of a debt for all perquisites received since Colonel Jeffreys came into the country. Lord Culpeper answered that he is confident that Colonel Spencer has not exceeded the instructions given in the King's letter of 27th December 1677 on the subject, and offers 500*l.* security to make good anything that may have been done by Colonel Spencer contrary thereto.

Their Lordships, finding the Massachusetts' Agents very impatient to return home, agree to report that such a letter be written to the Colony as may keep things there in a fair way of amendment until a fitter season shall present to reassume the whole business. The letter to set forth that His Majesty has consented to the return of the Agents, the rather that the prosecution of the Popish plot has not left sufficient leisure for the perfect settlement of the Colony, and commands them to send over two other persons within six months, fully instructed. It is expected that the Government will intercede for His Majesty's favour; that the letter of 8th June 1662 be complied with; that those who serve God in the way of the Church of England be made capable of the magistracy; that there be no other distinction in making freemen than that they be of competent estates; that the ancient number of 18 assistants be observed, none be admitted to any office without taking the oath of allegiance, and all Commissions run in the King's name. They are to abolish all laws inconsistent with the Acts of Trade, and to assist Mr. Randolph in the discharge of his trust. His Majesty took it very ill that they should presume to purchase Gorges' interest in the province of Maine, and was informed of their severities to the inhabitants of that province. His Majesty does not think fit to gratify them with the government of New Hampshire, north of the Merrimack, being resolved to take it into his own immediate care, and therefore requires them to recall all Commissions, &c. 6½ *pp.* [*Col. Entry Bk., Vol. CVI., pp.* 5–11.]

(May 20.) **997.** Petition of Bartholomew Price, guardian to John Jeffreys, a minor, son to Colonel Herbert Jeffreys, to the King. For payment of 300*l.* granted by His Majesty to Colonel Jeffreys, but still in the hands of Alderman John Jeffreys, and of arrears of his salary from 25th March 1678 for the relief of the poor widow, now in prison, and the maintenance of her poor orphan, and to grant an order for her release. "Delivered to the Committee by Mr. Secretary Coventry 20th of May 1679." [*Col. Entry Bk., No. LXXX., p.* 304.]

May 21. Whitehall. **998.** Order of the King in Council. On Report of Committee for Trade and Plantations respecting petition of Bartholomew Price, guardian to Colonel Jeffrey's son, Ordered that Sir Henry Chicheley, Governor of Virginia, inform himself, and give speedy report, of the differences depending between Lord Culpeper or his agents, and take care that Mistress Jeffreys be permitted to come to England to settle her deceased husband's debts; also that

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Secretary Coventry take sufficient security on the part of Lord Culpeper, as of said Mistress Jeffreys, that all things be duly performed pursuant to His Majesty's letter of 27th December 1677 (*ante, No.* 539). 3 *pp.* [*Col. Entry Bk., No. LXXX., pp.* 309–311.]

May ? **999.** Petition of Johan Van Wachtendonck, Commissary for the States-General and the Dutch West India Company, to Lords of Trade and Plantations. Praying that the answer received from Sir Jonathan Atkins concerning the ship Asia may be communicated to him. *Annexed,*

999. I. Sentence of the High Court of Admiralty that the ship Asia, with her lading and appurtenances, belongs to the Dutch West India Company. London, 1678, April 9.

999. II. Order of the King in Council. That copy of the memorial of the Ambassador Extraordinary of the States-General of the United Provinces be sent to Sir Jonathan Atkins, Governor of Barbadoes, who is hereby required to return his answer how the product of the ship Asia and her goods hath been disposed of, and why they were not restored according to the sentence of the High Court of Admiralty. Whitehall, 1678, July 9.

999. III. The memorial of C. Van Benningen to the King above referred to. That His Majesty would be pleased to employ his authority to cause the ship Asia, together with her lading and appurtenances, to be restored to her owners, or the just value, amounting to 72,704 livres, money of Holland. Westminster, 1678, July 10.

999. IV. Copies of the above Order of the King in Council and the memorial of C. Van Benningen. *Together,* 6 *pp.* [*Col. Papers, Vol. XLIII., Nos.* 60, 60 I–IV.]

May 22. Whitehall. **1000.** Journal of Lords of Trade and Plantations. Petition of Johan Van Wachtendonck read, asking that Sir Jonathan Atkins's letter respecting the ship Asia may be communicated to him. Sir Jonathan Atkins' letter of 3rd March (*ante, No.* 914) read, at which their Lordships are much dissatisfied, inasmuch as he does not mention the sum for which he expects to be reimbursed, and questions the power of the Admiralty in England to take cognisance of the case. They will therefore report that the 300*l.* for which the ship is said to have been sold be paid to the Dutch Agent, and consult Sir Richard Lloyd, one of the Judges Surrogates of the Admiralty, as to the liability of the Dutch West India Company for the salvage and necessary charges incurred by the officers of Barbadoes.

Lord Carlisle's letters of 31st July, 11th September, 24th October, 15th November 1678, 26th January, 18th February, and 20th March 1679, read (*see ante, Nos.* 869, 894, 943), whereon their Lordships report:—(1) That no ship can be sent to Surinam without liability to confiscation, the English therein having had ample time and opportunity to remove themselves; yet that the Governor has no

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reason to detain them if they choose to depart by a trading vessel. (2) No government can be maintained at Trist without violation of the Treaty with Spain; the logwood trade must be regulated by the Order in Council of 19th March 1679. (3) Private trade with the Spaniards would be offensive to them and contrary to the Navigation Act. (4) The people of St. Christopher's should not be encouraged to move to Jamaica. (5) The King cannot be at the expense of transporting disbanded soldiers to Jamaica. Report on the state of Jamaica and system of law-making, taken according to Minutes of 4th April, read. Their Lordships agree to present the same unsigned.

Petition of Réné Petit concerning transportation of Protestant families to Carolina, together with report of Commissioners of Customs, read. Their Lordships agree to recommend the preparation and fitting out of two ships, drawing not more than twelve feet of water, to transport the said families. The families to victual themselves, and the King to be at no charge further than to maintain the ship's company and his own officers. The families, also, shall be such as are specially fitted for the design, shall be genuine arrivals from across the seas, and shall not settle further south than the 34th degree of latitude; and the reimbursement desired by them shall be made out of the customs arising from commodities brought out of such plantations in Carolina as lie within that latitude. 5 *pp.* [*Col. Entry Bk., Vol. CVI., pp.* 11–16.]

May 22. **1001.** *Memorandum.*—The Lords of Trade and Plantations, having had in consideration the state of Jamaica in relation to the laws to be settled there, together with a report prepared in accordance with His Majesty's orders, entered into debate thereof, and by reason of disagreement in their opinions agreed to present that report to His Majesty without signing, for His Majesty's directions thereupon. [*Col. Entry Bk., Vol. XXIX., p.* 293.]

May 22. Council Chamber. **1002.** The Lords of Trade and Plantations to the King. (1) In the matter of Lord Carlisle's request for permission to send a vessel to bring off the residue of the English from Surinam (*see above, No.* 869), although, by the 5th Article of the last treaty with Holland, your Majesty is entitled to depute persons to see the condition of your subjects at Surinam and send one, two, or three ships at a time for the embarkation of them and of their goods, yet, conceiving the permission of the Dutch to be temporary only, and all British subjects having had fair warning, we do not think any of your Majesty's Governors may with success, or without exposing their vessels to confiscation, send thither at this time to transport the English from Surinam, at least not until the States-General shall, in like manner as formerly, grant letters to the Governor of the Colony to suffer the said English to depart, and permit the coming of ships for their transportation; on the other hand, we see no reason, unless for present defence against the Indians, why the Dutch Governor should forbid the English to transport

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themselves elsewhither, such contingency being expressly provided for by the 5th Article of the surrender between Colonel Byam, Governor of Surinam, and Abraham Crinsens, who took the same. (2) In the matter of the complaints from Trist respecting the disorders through want of regulation of the logwood trade, and Lord Carlisle's recommendations thereon, although your Majesty's subjects have long resorted to Trist for the cutting and selling of logwood, yet it does not seem to us that any government was ever constituted there, nor any settlement regularly established which would amount to lawful and quiet possession. The island is surrounded on all sides by the Spanish Plantations on the Main, and although not actually possessed by the Spaniards has always been accounted part of their dominions, and we are therefore of opinion that no habitation or government can be allowed or maintained there by your Majesty, without violation of the Treaty which forbids your Majesty's subjects to sail or trade in the havens of the Catholic King in the West Indies. As to the trade of logwood, for the sake of which alone the settlement can be useful, we advise that Lord Carlisle may guide himself according to the Order in Council of 19th March last, and discourage as far as in him lies the cutting of logwood in the Bay of Campeachy or any other of the King of Spain's dominions. (3) In the matter of the desire of the French in Hispaniola to trade with Jamaica we are of opinion that Lord Carlisle should be put in mind of the Acts of Parliament forbidding and restraining all trade with strangers to and from your Majesty's plantations, which Acts his Lordship has has sworn to obey; moreover a public allowance of Trade with either Spaniards or French would give matter of offence to those Kings, who are so strict in prohibiting traffic with strangers. (4) Respecting the planter who found obstacles from local Acts in the way of transporting himself and his family from the Leeward Islands to Jamaica (*see ante, No.* 907), we presume that, whatever instructions your Governors in those years have formerly had in relation to the French fleet which then seemed to threaten the Leeward Islands, your Majesty cannot but esteem these Islands a considerable parcel of your Plantations, not only for their trade, but for their absolute necessity for opposing the French, and hindering their progress and designs against your other Colonies. (5) As regards Lord Carlisle's suggestion that, owing to the scarcity of white men in Jamaica, and the opportunities enjoyed by tradesmen to improve themselves therein, your Majesty may be moved therein in disbanding of the Army, we think it not convenient for your Majesty to be at further charge and trouble herein, further than that, if any person or tradesman should desire to repair to Jamaica, your Majesty permit them to go upon such terms and encouragements as are usual in like cases. (6) Lastly, we note the strengthening of Port Royal by two new batteries, Forts Rupert and Carlisle, through the diligence of Sir Henry Morgan, and bring the same to your Majesty's notice. *Signed*, Anglesey, Shaftesbury, Sunderland, H. Powle, Thomas Dolman, Henry Coventry. Ordered, that Mr. Secretary Coventry signify His

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Majesty's pleasure to Lord Carlisle that he govern himself according to their Lordships' opinion aforesaid. [*Col. Papers, Vol. XLIII., No.* 61, *and Col. Entry Bks., Vol. XXIX., p.* 305, *and Vol. XCV., pp.* 293–296.]

May 23. **1003.** Proposals from the New England Agents. It is humbly moved and thankfully accepted that the King in his letter to be sent by the Massachusetts Agents on their return may signify his pleasure in the particulars following:—(1) the continued administering of the oath of allegiance to all who settle or grow up in this their jurisdiction, and to all admitted to places of government and trust; (2) the annulling of laws repugnant to the laws of England, and due care that no such be made for the future; (3) the due observation of the Acts of Trade and Navigation, and encouragement of officers appointed to that end; (4) moderation and forbearance towards such as dissent in matters of conscience and worship; (5) that membership of the Church of England be no hindrance to admittance to freedom or election to offices; (6) that there be appointed annual acknowledgment to be rendered to the King by way of recognition of dependence on the Crown: the fifth part of royal ore cannot be yielded, as no such ore has yet been found there. *Annexed,*

1003. I. An unfinished draft of a warrant under the Sign Manual to Edward Randolph, Chief Collector of Customs. 2 *pp.* [*Col. Papers, Vol. XLIII., No.* 62.]

May 23. **1004.** Copy of the foregoing paper. [*Col. Papers, Vol. XLIII., No.* 63.]

(May 23.) **1005.** Petition of Benedict Arnold to the King. His grandfather, William Arnold, of Patuxet in Rhode Island, by his last will made him his heir, but Stephen Arnold, youngest son of William Arnold, detains the deeds and embezzled the said will, to the petitioner's damage about 400*l.* Can expect no remedy in Rhode Island, for the most of them are of kin to Stephen Arnold, and will not allow challenge of juries according to law. Prays for a royal order to the Governor of Plymouth to hear the case. *Signed,* on behalf of Benedict Arnold, William Harris. *Subscribed,* A reference, dated 23 May 1679, to the Committee for Trade and Plantations. *Signed,* Robert Southwell. *Endorsed,* "Rec^{d} & read 23 May 1679; rec^{d} 6 June 1679, read 19 June 1679, not granted." 1 *p.* [*Col. Papers, Vol. XLIII., No.* 64.]

May 28. Whitehall. **1006.** Order of the King in Council. Report (dated 22nd May) of Lords of Trade and Plantations on the petition of Réné Petit and Jacob Guerard (*ante, Nos.* 918, 930 I), recommending that the prayer of the petition be granted, subject to certain conditions. (*See ante, Journal of Lords of Trade and Plantations, No.* 1000). Ordered, that as soon as the petitioners or others in their behalf shall execute the promises made in their petition the King will give orders for the said ships to be fitted out and despatched, and

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for the reimbursement of the 2,000*l.* *The report is a draft with additions in the handwriting of Sir T. Dolman, who has also filled in the signatures. Together,* 4 *pp.* [*Col. Papers, Vol. XLIII., No.* 65.]

(May 28.)] **1007.** Petition of Sir Francis Morton, John Netheway, and Captain Joseph Crispe, on behalf of the English in the Leeward Islands, to the King and Privy Council. The French King having refused to confirm the treaty concluded by Comte de Blenac and Sir W. Stapleton unless Jamaica and Barbadoes be included, petitioners pray that the English Envoy at Paris be instructed to conclude a peace for them for a certain number of years, as His Majesty shall think fit. *Signed,* Fra. Morton, Jno. Netheway. "Recd. 28 May 1679, read 31 May 1679." [*Col. Papers, Vol. XLIII., No.* 66.]

May 28. Whitehall. **1008.** Order of the King in Council. After reading of report from the Lords of Trade and Plantations (*ante, No.* 1002), ordered, that Mr. Secretary Coventry do signify to the Earl of Carlisle that he govern himself in respect of the several matters according to the opinions of their Lordships expressed in the said report. [*Col. Papers, Vol. XLIII., No.* 67, *and Col. Entry Bk., Vol. XXIX., p.* 305.]

May 28. Whitehall. **1009.** Report of the Lords of Trade and Plantations to the King in Council. We have considered the present state of the Government and laws of Jamaica, and believe the troubles and dissatisfactions to have arisen as followeth. By the commission given to Lord Vaughan and the Governors that preceded him, power was given to the Assembly of Jamaica to enact laws with the advice of the Governor and Council, but by reason of the irregular, violent, and unwarrantable proceedings of the Assembly that power was altered in the commission of Lord Carlisle to the present system [*i.e.*, the Irish system fixed by Poyning's law]. A body of laws sent over by Lord Carlisle has been rejected by the General Assembly of Jamaica for the following reasons, which appear in their letters and addresses:—(1) They objected to a clause in the Militia Bill providing that on all occasions and emergencies the Governor may act as Governor in Chief according to the powers trusted to him in his commission, fearing that by passing the same they may make it legal to execute all instructions that are or shall be sent to the Governor. (2) They have rejected the Revenue Bill as being perpetual and liable to be diverted. (3) They object to the laws as containing divers fundamental errors and (4) as having not been compared with and amended by the last laws sent over by Lord Vaughan. (5) They object, that the distance of the place renders the present method impracticable; (6) that the nature of all colonies being changeable, their laws should be adaptable to those changes; (7) that they lose the satisfaction of a deliberative power in making laws; (8) that this form of Government renders the Governor absolute; (9) that the royal

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Prerogative was better secured by the former system. Answer to the above objections:—(1) It is presumptuous in the Assembly to question the King's power over the militia in Jamaica, seeing that by the laws of the kingdom the sole supreme government and command of the militia and all forces by sea and land resides in His Majesty in all his realms and dominions. (2) The objection against the Revenue Bill is groundless, seeing that its perpetuity was no more than was formerly offered to them by Sir Thomas Lynch; nor can the revenue be diverted, for provision is expressly made for its application to the better support of the Government. Moreover it is not suitable to the duty and modesty of subjects to question the King's care for the Government of the Colony, whose settlement and preservation has been most particularly carried on by His Majesty at great expense to his Treasury. (3) It cannot be truly said that the laws contain many and great errors, nothing having been done therein but in pursuance of former laws enacted by the Assembly with the advice of the Privy Council and the approval of the Attorney-General. (4) To the fourth objection it may be answered that had anything of moment or importance been found in the last parcel of laws sent by Lord Vaughan, His Majesty's tender care for his subjects would not have permitted those Bills to be sent imperfect or defective in any necessary matter. (5) As to the distance of Jamaica from England, the Irish system was adopted for the Colony by advice of the Privy Council, and care was taken that no law necessary to the well being of the Colony should be omitted according to the experience of former Governments. It is not likely that Jamaica is subject to greater accidents than Ireland, so as to require more sudden and frequent change of laws in other cases than those provided for in cases of emergency or in other manner than is provided for in the King's Commission, whereby free access is granted to the inhabitants to make complaint to the Governor and Council of any defect in old laws or any reasons for making new ones. Such amendments or new enactments can then be modelled by the Governor, sent home, and retransmitted for enactment by the Assembly in due course. (6) The principle that laws must alter according to the interests of the Colony is recognised by the lodging of power with the Government to enact new laws with the approbation of the King and Privy Council in England and the Governor and Council in Jamaica. On urgent occasions power is given to raise money even without waiting for the King's consent. (7) The Assembly has doubtless tried to grasp all power as well as that of a deliberative voice in making laws, but not without encroachment on the royal prerogative and transgression of the bounds of loyalty and duty; witness their exorbitant and unwarrantable proceedings under Lord Vaughan, when they ordered and signed a warrant to the Marshal of the Island, the King's officer of justice, to stay and prevent execution of sentence on a notorious pirate and disturber of the King's peace. Further they have taken on themselves, in virtue of their deliberative power, to make laws contrary to those of England and imprison the King's

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subjects; and they have raised money by public Acts and disposed of the same without mention made of the King, a thing unprecedented in His Majesty's kingdoms. The question how far it was fit to entrust them with power which they have thus abused was considered when His Majesty determined to put a restraint on these enormities and take the reins of Government into his own hands, a decision which the Assembly, against their duty and allegiance, have challenged. (8) It is untrue that by the new system the Governor is rendered absolute; on the contrary he is more strictly accountable than ever, through his Commission and Instructions, to the King for all his most important actions. (9) Whether the royal prerogative be prejudiced or no by the new constitution is rather the King's business than the Assembly's. Lastly, we think that it would be a great satisfaction to the King's subjects in Jamaica to know what laws they are to be governed by, and an ease to the planters not to be obliged continually to attend the Assembly and re-enact old laws. The late power of making temporary laws could only be understood to endure until such wholesome laws, founded on many years' experience, should be agreed to by the people and enacted by the King as in all other Colonies. The people of Jamaica cannot pretend to greater privileges than those granted them by Charter or Act under the Great Seal, and have from the first been governed pursuant to the King's Instructions to the Governor according to his royal power, wherewith His Majesty has never yet parted by one authentic Act. The Assembly has no right to meet but by the Governor's permission, and that temporary and for probation. It is therefore surprising that they should regard as a right what was granted as a favour, thus discouraging future royal favours of the same kind, and treat all temporary and experimental constitutions as a resignation and devolution to them of the royal authority. Since, therefore, it is evident that the Assembly of Jamaica rejects the King's favours, and that the King's resolution is likely to be the measure of their respect and obedience, we recommend that the Governor be empowered to call another Assembly, and represent to it the expediency of accepting the laws transmitted by the King; and that in case of refusal the Governor be furnished with such powers as were formerly given to Colonel Doyley, the first Governor of Jamaica, and to other Governors since, whereby Lord Carlisle may be enabled to govern according to the laws of England, where the nature and constitution of the Colony permit the same, and in other cases to act by the advice of his Council, until further orders. Also that Lord Carlisle be instructed to send constant and particular reports of his proceedings.

Upon reading of the report and full debate His Majesty approved the same. Secretary Coventry directed to prepare suitable orders and instructions accordingly. 11½ *pp.* [*Col. Entry Bks., Vol. XXIX., p.* 293, *and Vol. XCV., pp.* 299–307.]

May 31. **1010.** Journal of Lords of Trade and Plantations. Read, the petition of Sir Francis Morton and others on behalf of the Leeward

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Islands, on the refusal of the French to ratify the West Indian Treaty of Neutrality (*ante. No.* 1007). Their Lordships, on reading the report of 25th April 1678 (*ante, No.* 679) on the state and strength of the Leeward Islands, think the demand of France for the inclusion of Jamaica and Barbadoes to be somewhat unreasonable, but defer further consideration pending the arrival of Mr. Crispe from France. [*Col. Entry Bk., Vol. CVI., pp.* 17, 18.]

May 31. **1011.** The King to Governor Lord Carlisle. Having learned the unwillingness of the Assembly of Jamaica to accept the body of laws lately sent from hence, we handed over the grounds and reasons of the Assembly for its refusal thereof to the Committee of Trade and Plantations, who having well weighed them, have given them such answers as do not only satisfy us but we are persuaded will convince the Assembly of Jamaica also. These we now transmit to you (*ante, No.* 1009), and order you to call an Assembly and represent to it the great convenience and expediency of accepting the laws which we have sent them. If they should still persevere in their refusal you will act according to the powers in your commission and instructions, or in other cases by the advice of your Council. 1½ *pp.* [*Col. Entry Bk., Vol. XCV., pp.* 297, 298.]

May 31. Council Chamber. **1012.** Lords of Trade and Plantations to Governor Lord Carlisle Your letters of 24th October and 15th November 1678 received (*see ante, Nos.* 814, 815, 827), acquainting us that the Assembly of Jamaica had thrown out the Bills transmitted under the Great Seal, and recommending the speedy dispatch of the Bills sent to Secretary Coventry through the offices here. We find that these Bills contain such clauses as were formerly disallowed by us, your Lordship being present, when transmitted by Lord Vaughan, as prejudicial to the King's rights and prerogative; one clause appropriating and disposing of the quit rents in the same terms as formerly gave the King such dissatisfaction; another declaring the laws of England to be in force which (as you cannot but remember) was postponed here after very serious deliberation, besides other causes for divers reasons unfit to be passed. We could not advise His Majesty to proceed otherwise than according to our report and the Order of Council thereupon (*see ante, No.* 1009). The other matters mentioned by you have likewise been considered and instructions ordered to be sent to you (*see ante, No.* 1002). There remains, therefore, but to show what has been defective on your part; that you have not reflected on your instructions which make you accountable to us for arms and ammunition in the magazines, entries of goods, revenue and expenditure, importation of negroes, number of planters and inhabitants fit to bear arms, their increase and decrease, trade of the Island, strength of your neighbours. Our general letter and inquiries of 25th March 1678 still remains unanswered; a duplicate has been sent pressing for speedy reply. But what most surprises us is that you should have informed us of the passing of a Bill of Impost and sent no copy thereof. We cannot do our full duty to His Majesty without

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full information on matters of moment. *Signed*, Anglesey, J. Bridgewater, Henry Coventry. 3½ *pp.* [*Col. Entry Bk., Vol. XXIX., p.* 313.]

June 1. Nevis. **1013.** Governor Stapleton to Lords of Trade and Plantations. Sends map of Antigua, the one thing wanted to complete the answers to their Lordships' questions (*see ante, No.* 741), and begs that his answer to the 12th question may be awarded according to the map, which shows the acreage of the Island to be smaller than he represented. Must also amend his answer respecting the strength of effective men in Martinique, which is nothing near what he was informed, and does not exceed 1,700 men. This he knows through an officer sent to Martinique for the purpose of ascertaining, though ostensibly with a different object. Fort Royal, Martinique, is very strong. In Guadaloupe they can raise no more than 1,200 men; the account of these islands is good, for all Stapleton can contradict. There is report that Comte de Blenac is to go home, and Comte d'Estrées to come out as Viceroy. 1 *p.* Recd. 1 Aug. 1679. Read 1 Oct. 1679. [*Col. Papers, Vol. XLIII., No.* 68; *Col. Entry Bk., Vol. XLVI., p.* 361.]

June 2. Whitehall. **1014.** Secretary Coventry to Governor Lord Carlisle. I have received many letters from you, but the business in Parliament and about the plot hath so entertained us that we have had no time to deal with your business till now. An Order in Council accompanies the packet which will show you the King's wishes more clearly. I heartily hope that you will persuade them to accept the King's proposals, and not think that their freedom as Englishmen is violated by being governed as Ireland is. The qualities and estates of the King's subjects in Ireland are doubtless much superior to those of Jamaica, and Irishmen are quite as careful to conserve their liberty. Your last letter of 20th March received; I will do all I can for your satisfaction. 1 *p.* [*Col. Entry Bk., Vol. XCV., p.* 298.]

June $\frac{5}{15}$. Barbadoes. **1015.** Governor Sir Jonathan Atkins to Lords of Trade and Plantations. Are all in good concord one with another, well resolved and as well prepared for their own defence. Have been sometime without any noise of the French, but has just heard that twelve French frigates and two fireships have arrived at Martinique from Brest very full both of soldiers and seamen. Has lately received a message from the Governor of Surinam that they are in great misery through the Indians, who had most barbarously killed many of their men, women, and children, and destroyed their plantations and works, so that the people were forced to quit them and are ready to starve; and if some speedy course be not taken for their relief they must abandon the place. The overture was made to him that if he would lend men to help defend them, they should be well paid, and if in ten months they were not relieved they would deliver the place and people to His Majesty, and if this were refused they should be forced to make the same offer to the

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King of France. Has laid this before their Lordships to present to His Majesty. 2 *pp.* [*Col. Papers, Vol. XLIII., No.* 69; *and Col. Entry Bk., Vol. VI., pp.* 287–289.]

June 6. **1016.** Order of the King in Council. That the Lords of Trade and Plantations consider how far the present allowances for maintenance of the government in the Colonies of America may be reduced with convenience to His Majesty's service. *Signed,* Philip Lloyd. [*Col. Papers, Vol. XLIII., No.* 70; *and Col. Entry Bk., Vol. XCVII., p.* 62, *and Vol. LXXX., p.* 356.]

June 10. Boston. **1017.** Robert Holden to the Commissioners of the Customs. Since his arrival at Boston (on his way for the county of Albemarle in Carolina wherein he holds their Honour's Commission for the collection of Customs), having met with divers information tending to his place there and the frauds used by the traders about tobacco transported thence to this place and elsewhere, it is his duty (and "by the greatest injunctive tie devised") to give information thereof. About half-a-dozen traders of this place with their complices receive the greatest part of the production of tobacco in Albemarle county, and by a person whom through their interest with the people they have factiously made one Collector of Customs, one Mr. Culpeper; by which means they and he have played such notorious pranks that a people and Customs' treasure were never more "infatuated, cheated, and exhausted by the current late receive stamp in these parts of New England Christian Policy. And as the tobacco trade current causeth their concourse thither and their ways to 'leniate,' the impost resteth not there, for from thence brought thither they have liberty without further examination to carry the same to Ireland, Holland, France, and Spain or any other place under the notion of fish and such-like goods, by which the trade is so diverted from the true rules of commerce that traffic in this western world must be monopolized in this commodity only to New England, and the rest of His Majesty's people so trading must become Bostonized or relinquish dealings if special care is not had." The Canary trade is in like nature carried on. Ships load wines there, touch at Madeira or some other of the western islands, and there take about a tun of their wines which they put in the hatchway coming home. "From whence your ship?" "From Madeira with their lading, wines"; and "so draw of the upper casks for a taste, and the whole ship under this notion is 'unlaided' without further inquiry." Was told this by one who sailed in a ship that practised it. The Scottish trade by the like "legerdemain jugles" is driven. A ship touches at Newcastle, Berwick, and Poole, takes in coals or some slight goods, goes for Scotland and there receives great quantities of linen and other Scottish goods, and coming here by her English clearings at the above-said port, passes for current without further inquisition. The French, Spanish, and what-country-else European trade passeth home under the pretence of French or Spanish salt, &c., by which from France they import all that country wares, as linen,

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wines, "rubans," silks, &c.; from Spain wines, fruits, oil; from Portugal the like goods, &c.; they transport from hence under the notion of fish to all these places what will turn to account. "Here is just now a ship returned from Madagascar, by the way put several negroes on shore at Jamaica having touched at several parts of East India, and, besides, has brought 'elephant teeth.' Where she got them knows not; she hath been a year and half out. The fame that this place hath borne in this W. part of the world as well as elsewhere in this article makes me somewhat degress about their church government and integrity of life, in brief, is now almost wholly devoured with Christian Policy of New England, by which means they have made their adoration their prime best commodity of merchandise and their zeal their chief broker, as their occasions and affairs in the world shall require, that these two now may pass for the grand cheats of the world." Has thought it his duty to advise that their irregular courses may be prevented, without which not only many of His Majesty's liege people will be oppressed, but his masters the lords proprietors of Albemarle will through their interest of trade there be kept in faction and rebellion, as now it is and for several years has been, and they the cause wholly that their Lordships' government cannot take place. Would like to have a copy of the King's proclamation of 24th November in the 27th year of his reign, relating to European wares and merchandise, and all the proclamations tending to His Majesty's Customs. *Postscript.*—Shall depart in two or three days for Albemarle, having been 10 days here. *Endorsed,* "Recd. 2 March $16\frac{7}{8}\frac{9}{0}$." *5 pp., very neatly and clearly written, leaving no doubt of the writer's sobriety.* [*Col. Papers, Vol. XLIII., No.* 71.]

June 10. **1018.** Journal of the Assembly of Barbadoes. Ordered, that petition of Elizabeth Norris, widow, be considered at their next sitting, and that petitioner then appear. Having information from Captain Johnson, Dutch Commander of a vessel lately arrived, that he had seen at Martinique twelve French ships of war with fireships a few days since, resolved to address his Excellency and Council that speedy care be taken for the safety and preservation of this Island. The address. Ordered, that John Hallett, treasurer, pay out of the excise on liquors imported to John Higinbotham, clerk of the Assembly, 10,000 lbs. of Muscovado sugar for six months' salary, and to John Forbes their marshall, 1,500 lbs. for six months' salary.

June 24. An Act to revive and continue an Act for securing the possession of negroes and slaves passed. Ordered on petition of William Phillipps, surgeon, that the treasurer pay him 1,400 lbs. of sugar for the care of two poor men wounded while on duty at Austin's Bay, certified by Colonel Christopher Lyne. Ordered on petitions of Samuel Brunts and Edward Hunt, agents to Abraham Tillard & Co., that they be allowed duty on three pipes of wines unfit for sale, and that Valentine Trim be allowed the duty on a quantity of ale turned sour and unfit for sale.

June 25. An Act for speedy collecting arrears of levy for finishing the

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fortifications passed. Ordered that Lieutenant-Colonels Alexander Rudduck and Thomas Jolly appoint sufficient persons to watch for the approach of any number of ships, and the treasurer to pay their wages not exceeding twenty shillings per month for each man. Also that he pay Richard Tewder 5*l.* sterling for accommodation of the Assembly's offices since July last, and the balance due for "a parcel of arms" received from Robert Chaplin in London at his Excellency's request with interest at the rate of ten per cent. per annum for the delay of payment. Adjourned to 8th July. [*Col. Entry Bk., Vol. XIII., pp.* 346–351.]

June 12. Whitehall. **1019.** Journal of Lords of Trade and Plantations. On further consideration of the refusal of the French to ratify the West Indian Treaty of Neutrality (*see ante, No.* 1010) their Lordships agree to report that a project be prepared, pursuant to the treaty transmitted by Colonel Stapleton, including Barbadoes and Jamaica; and whereas it is thereby provided that all things be confirmed which have been done in virtue and explication of the Treaty of Breda, whereby the French may pretend that all things they have done in wrong of the English stand good, that that clause be left out and a new one inserted to the effect that satisfaction may be fully done according to that Treaty.

On the Order of 6th June 1679 to consider whether the expense of maintaining the Governments of the Plantations could be reduced, their Lordships agree to report that the allowances to Colonel Stapleton and the two companies of foot should be continued by reason of the neighbourhood of the French. *Mem.*— On the 16th June the establishment of Virginia, amounting to 6,040*l.* 10*s.*, recommended to be continued, and all other charges taken off. [*Col. Entry Bk., Vol. CVI., pp.* 18–20.]

June 13. Whitehall. **1020.** Order of the King in Council. That, in pursuance of the Report of the Lords of Trade and Plantations, no part of the charge for supporting the Leeward Islands be retrenched, and no part of the allowances now made to Colonel Stapleton and the two foot companies under his command be reduced. *Signed*, Phi. Lloyd. [*Col. Papers, Vol. XLIII., No.* 72, *and Col. Entry Bk., Vol. XLVI., p.* 360.]

June 13. Whitehall. **1021.** Order of the King in Council on Report of Lords of Trade and Plantations. The Lords have been attended by Captain Joseph Crispe to solicit the ratification of the Treaty of Neutrality lately concluded by Governor Stapleton and the Count de Blenac. On review of his petition (*see post, No.* 1032) the Lords advise that a treaty of neutrality pursuant to that aforementioned be negotiated with the King of France, with the addition of Barbadoes and Jamaica to the Leeward Islands, wherein provision may be made for the restoration to His Majesty's subjects of all that rightfully belongs to them by the Treaty of Breda. In the matter of expense the Lords cannot advise any retrenchment of the charge hitherto allowed for the Leeward Islands. (Report dated 12th June

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and *signed* Anglesey, Bridgewater, H. Coventry, Shaftesbury, Sunderland.) Ordered thereupon, that Mr. Secretary make application for such a treaty to the French Ambassador, and that the Lord President, Lord Privy Seal, Lord Chamberlain, and the Principal Secretaries of State, or any three or more of them, be empowered to negotiate the same. [*Col. Entry Bk., Vol. XLVI., pp.* 358–360.]

June 18. Whitehall. **1022.** Order of the King in Council. On report of Committee for Trade and Plantations respecting the allowances settled by His Majesty for support of the Government in Virginia, the establishment is as follows:—To the Governor 1,000*l.* per annum, to the Deputy Governor 600*l.*, Major-General 300*l.*, incident charges 600*l.*, the Chirurgeon 91*l.* 5*s.*, the Chaplain 121*l.* 13*s.* 4*d.*, the two foot companies 3,327*l.* 11*s.* 8*d.*, the whole amounting to 6,040*l.* 10*s.* yearly. That no part of the above allowances be reduced, and that the Commissioners of the Treasury take sufficient care for the payment thereof. Also that James Archer, Engineer, and other military officials who were sent over for the suppression of the rebellion, be forthwith paid off and discharged, excepting the Engineer, who is to be retained in case the country proceed to build a fort, and one gunsmith with two mates, who are required to look after the King's stores. [*Col. Entry Bk., Vol. LXXX., pp.* 357, 358.]

June 18. Whitehall. **1023.** Order of the King in Council. Referring petition of Colonel John Strode and partners, farmers of His Majesty's revenue of 4½ per cent. at Barbadoes to the Lords of the Treasury, to the Lords of Trade and Plantations, to examine and report their opinions to His Majesty with all speed. *Annexed,*

1023. I. The petition above referred to. Complaining of two Acts passed in Barbadoes in November 1675 and January 1679 whereby farmers shall restore the duty of 4½ per cent. paid for goods of the growth of the Island if lost at sea or taken by enemies or pirates, both of which Acts are repugnant to law and equity and are made solely for lessening the King's revenue and discouraging petitioners; and praying His Majesty to grant his letter to the Governor of Barbadoes to abolish and invalidate said Acts.

1023. II. An Act for allowance of a second free entry for the dead productions of this Island lost or taken, &c., relating to the 4½ per cent. Barbadoes, 25th November 1675. Certified copy by Edwyn Stede, Deputy Secretary.

1023. III. An additional Act to an Act, entitled an Act for allowance of a second free entry for the dead productions of this Island lost or taken, &c., relating to the 4½ per cent. Barbadoes, 23rd January 1679. Certified copy by Edwyn Stede, Deputy Secretary. [*Col. Papers, Vol. XLIII., Nos.* 73, 73 I., II., III., *and Col. Entry Bk., Vol. VI., pp.* 261–265.]

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June 18. Nevis.

1024. Governor Stapleton to Lords of Trade and Plantations. His last letter was sent by Abraham Tery, Master of the pink Abraham of London, bound to Liverpool. The oldest surveyor on the land says that he will justify Antigua to be thirty thousand acres larger than shown by the map, so that the amendment to the answer (*see ante, No.* 1013) may be delayed. Has no hope of a conference with the French General not only because of the report that Comte d'Estrées comes out as Viceroy and that the General goes home (which Stapleton believes to be an invention), but also because of the approach of the hurricane season, and that he cannot have time enough to return to Martinique before the apprehended storms of July, August, and September. The only news is the insolent behaviour of a French man-of-war, which on Friday last between eleven and noon luffed in with one of the English platforms without striking or paying any attention to the King's flag ashore. Whereupon, according to custom, a shot was fired at her forefoot, a second aft, a third amidships; and after three more shots she bore away, putting the ships in the roadstead between her and the forts, but first shot seven bullets towards the shore whereof two fell on land about high-water mark. She was in company with four merchantmen who kept out of command (range). Would not have mentioned such matters except that she was said to have been struck by one shot in her quarter, another in her sails, and a third betwixt wind and water. In St. Christopher's, the French often commit the like arrogancy, and things of another nature as seizure of English sugars coming from one English part to another through their quarters, though the English have no other way to transport it. They have confiscated the beast and sugar besides a fine, though the roads are in common by all articles since the very first settlement. The copies of their proceedings sent herewith (*see ante, No.* 963) show clearly how extra-judicial and partial the judge was for giving judgment *altera parte inaudita* and not leaving the decision to the Governor and National Commissioners. In brief, they expect a declaration to be made of all goods passing through their ground—an entry as we term it—which would make the King's people subjects to them; which declaration shall never be made while Stapleton is Governor unless by express command from home. Expected redress for these and other indignities from a conference with Count de Blenac, who promises very fair, the correspondence being amicable and careful on Stapleton's side. Trusts that, if the Articles of Neutrality be not ratified, men and ships may be sent out to destroy the French Islands before they destroy the English. They always have a squadron on the spot, while the English have not a frigate to transfer men for the relief of any Island. Begs instructions how to behave towards all fleets that come within range of the guns. *Postscript.*—The French man-of-war is the *Gallant* of 40 or 45 guns, commanded by the Comte de Sourdis. 2 *pp.* "Recd. 13 Aug. 1679. Read 1 Oct. 1679." [*Col. Papers, Vol. XLIII., No.* 74, *and Col. Entry Bk., Vol. XLVI., p.* 361.]

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June 18. **1025.** *Mem.*—The Lord President is desired by the Lords Committee for Trade and Plantations to report to His Majesty in Council:—That having in pursuance of an Order of the 6th instant considered the expense of His Majesty's Governments in America, they are of opinion that the allowances made by His Majesty upon the establishment of Virginia unto the Governor and other officers of that Colony, as also for payment of the two foot companies and other incident charges, ought to be continued without any alteration, the same being for His Majesty's service and necessary support of that Government. [*Col. Entry Bk., Vol. LXXX., pp.* 356, 357.]

June 19. **1026.** Journal of Lords of Trade and Plantations. Report of their Lordships concerning New England, ordered 20th May, approved with amendments:—(1) to except Papists from the injunction to remove incapacities on religious ground; (2) to order the Colony to make surrender of Maine on re-imbursement of the purchase money. Report read concerning Mr. Randolph, recommending him for a reward of 175*l.*, and that his salary as Collector of Customs commence from 10th September 1676, the date of his arrival from New England. On the petition of William Harris, praying that his title to the lands possessed by the men of Warwick may be referred to New Plymouth for their final determination, their Lordships, taking notice that the adverse party, Holden and Greene, had objected against Massachusetts and Connecticut as being their mortal enemies, and that the Petitioner apprehended the partiality of Rhode Island, refer the examination of the case to the New Plymouth magistrates, and require the Rhode Island magistrates to put him in possession of the lands adjudged to him by Order of Council of 31st January.

Establishment of Jamaica, 5,873*l.* 6*s.* 8*d.*, and allowance made by the King towards maintenance of the forts and garrison of New York, considered; and agreed to report continuance of same.

Read, a letter from Sir Edmund Andros, dated New York, 25th March 1679, giving an account of the Indian race, and of the hard dealings of the Massachusetts with the Province of Maine. [*Col. Entry Bk., Vol. CVI., pp.* 21 *and* 24–26.]

June 19. **1027.** Certificate that His Majesty's allowance towards the maintenance of the garrison and forts of New York is 1,000*l.* per annum; the charge above this allowance is paid by the Duke of York. *Signed*, Tob. Holder, Audr. 1 *p. Printed in New York Colonial Documents, Vol. III., p.* 278. [*Col. Papers, Vol. XLIII., No.* 75.]

June 20. Whitehall. **1028.** Order in Council on a Report of the Lords of Trade and Plantations. Their Lordships, finding the present conjuncture not very favourable for settling what concerns His Majesty's service in Massachusetts in such method as were to be wished, and towards which they have prepared and are preparing many materials now under the care of Sir R. Southwell, and finding the

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Agents impatient to return home, offer the draft of a letter for New England to be sent by the Agents. *The letter follows.* The Agents are dismissed, there being no prospect of speedy leisure owing to the prosecution of a Popish plot; had they had commission to negotiate a perfect settlement of affairs (which they disowned) their stay, probably, would not have been so long, nor would the matter be then undetermined. Orders, that agents with full instructions be sent over within six months of the receipt of the letter; for since the charter was originally to be executed in England, and not in New England otherwise than by a deputation, it is not possible to establish a perfect settlement until these things are better understood. The Lords doubt not but that the Agents (who have demeaned themselves with good care and discretion) will acquaint them of many important things, which may be of such use that their application may anticipate what is desired; express the King's inclination to pardon the past, satisfaction with the administration of the Oath of Allegiance; his expectation that perfect freedom of conscience will be granted to all (except Papists) and that the distinction observed in the making of freedom be abolished. They order that the ancient number of 18 Assistants be restored, and that all persons coming to any privilege, trust, or office take the oaths of allegiance, and that military commissions and the proceedings of justice run in the King's name; expect that all laws repugnant to the laws of trade will be abolished. Edward Randolph, appointed Collector of Customs for New England under the Broad Seal, is recommended to their help. The Lords express the King's displeasure at the purchase of Maine, for which he was in treaty at the time, and expect that on reimbursement of the sum paid all deeds, &c., will be surrendered by their future agents. The Colonists are not to expect the annexation of New Hampshire to their Government according to their desire, a plan for settling it being under consideration: they are ordered to recall all commissions for governing it. 19th June 1679. *Signed,* Finch, C., Shaftesbury, Pr., Anglesey, C.P.S., Arlington, Bridgwater, Sunderland, Fauconberg, Halifax, Cavendish, H. Coventry, J. Ernle, H. Powle. Report approved, and letter ordered to be prepared for signature. *Mem.*—This letter was signed 24th July 1679. 7 *pp.* [*Col. Entry Bk., Vol. LX., p.* 351.]

June 20. Whitehall.

1029. Order in Council on a Report from the Committee for Plantations about a reward for Mr. Randolph. The Committee commend Randolph's services, and recommend that his salary as Collector of Customs should commence from 10th September 1676, the day on which he arrived in London from Boston, whereby he may receive 175*l.* for his past services. 19th June 1679. Shaftesbury, Anglesey, Sunderland, Bridgwater, H. Coventry, Fauconberg, J. Ernle, Edw. Seymour, H. Powle. Ordered accordingly. 3 *pp.* [*Col. Entry Bk., Vol. LX, p.* 357.]

June 20. St. Jago de la Vega.

1030. Governor Lord Carlisle to Lords of Trade and Plantations. Acknowledges letter of 13th [21st ?] February (*see No.* 902). In the matter of the bond given by Captain Brayne for proceeds of sale of

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negroes, the property of the Dutch West India Company, I had, on the motion of Sir Thomas Modyford, some time before receipt of your letter, ordered the bond to be put in suit, but have now acquainted Captain Brayne with your orders, and, with the consent of Sir Thomas Modyford, have given him some time to pay the money. Thus your instructions have been carried out, and a tedious suit at law avoided. Received another letter of 22nd February (*see ante, No.* 903) with Mr. Slingesby's report about a mint in this Island. If we should make our coin of the same weight and fineness as the coin of England, we should never keep any money in the Island, which is our principal difficulty. In New England they raise money one-fourth, "a ninepence goes for twelvepence, which fills them full of money; yet though the current money here be raised above its value they carry off this Island all our ready money to other plantations, to the great incommoding of the inhabitants in their trade one with another." I deeply regret that your Lordship's troubles and disturbances at home should leave no room for hope that the grievances of Jamaica will receive attention. Our want of laws is very great. I was necessitated to continue in force those that expired in April by proclamation; the rest expire in September, and the Bill for the present revenue with them, which they are not willing to perpetuate, from apprehension either that there may be no more Assemblies, or that it would be in danger of being diverted like the four-and-a-half per cent. in Barbadoes. As for the clause as it is worded in the Militia Bill I brought over, they will not pass it even if they should be again attempted. To be plain with your Lordships, I find the inhabitants of this Island dissatisfied with having the deliberative part of making laws and power to alter and amend Bills transferred hither under the Great Seal of England taken from them; they will never be induced to accept the system, for they judge it unreasonable because of the distance of Jamaica from England. I therefore beg of your Lordships to prevent further loss of time, nor leave this Island "languishing for want of necessary laws." 2 *pp.* Received 26th August 1679. Read 9th October 1679. [*Col. Papers, Vol. XLIII., No.* 76, *and Col. Entry Bk., Vol. XXIX., p.* 317.]

June 21. **1031.** Journal of Lords of Trade and Plantations. Read, the petition of the inhabitants of Bermuda referred by Order in Council of 16th May. Their Lordships note that the heads of inquiry sent to the Governor and Company of the Somers Islands on 10th April 1679 (*see post, No.* 1062) remain yet unanswered, and decide, before further consideration of the present complaint, to summon the Company to attend and expostulate with them for this neglect.

Mr. Crown called in to make out his property to the lands lost by him in Nova Scotia, and prove his damage; but being unable to produce some necessary evidences, is directed to confer with one Mr. Nelson, who is likewise concerned with Nova Scotia as agent to Mr. Thomas Temple, joint proprietor with Mr. Crown.

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Their Lordships, taking into consideration the part of New England claimed by Mr. Mason, which lies within the N. bounds of the Massachusetts, the government whereof belongs to His Majesty, order such rules, &c., to be prepared for settling a temporary government. [*Col. Entry Bk., Vol. CVI., pp.* 26–29.]

(June 21.) **1032.** Petition of Captain Joseph Crispe, Agent for the inhabitants of the Leeward Islands, to the Lords of Trade and Plantations. Represents that Petitioner has been to Paris to seek ratification of the treaty concluded between Governor Stapleton and Count de Blenac, where he received answer from M. Colbert, Minister of State, that the treaty could not be ratified as it was unequal, all the French islands being included, but Jamaica and Barbadoes of the English possessions omitted, and that when these two were included he would be ready and willing to ratify. Petitioner therefore begs that some safe and speedy course may be taken to provide for the security of the Islands. [*Col. Papers, Vol. XLIII., No.* 77, *Col. Entry Bk., Vol. XLVI., p.* 356.]

June 24. **1033.** Minutes of the Council of Barbadoes. Ordered, that a Bill be forthwith prepared for settling and ascertaining the lines and bounds of the several parishes of this Island and for admeasuring the full quantities of land contained in each parish after the bounds shall be so settled, and the same to be entered in the vestry book of each parish; and Colonel Walrond, Colonel Lambert, John Witham, and Richard Howell, or any two of them, are desired to prepare a Bill for the purpose aforesaid. [*Col. Entry Bk., Vol. XI., pp.* 301, 302.]

June 26. Whitehall. **1034.** Journal of Lords of Trade and Plantations. Order in Council of 18th instant read, referring petition of Colonel Strode and partners to their Lordships (*see ante, No.* 1023). Whereupon Colonel Strode is called in and desires that the effects of the Acts in question may be discontinued. In the first place their Lordships doubt whether there be any such laws enacted in Barbadoes, Sir Jonathan Atkins having assured them in his letter of 17th April (*see ante, No.* 974) that he had sent over all laws in force; but notice being taken that both laws produced by the farmers are attested by the Deputy Secretary, and that another law for taking the oaths of allegiance and supremacy is not yet transmitted, their Lordships conclude that Sir J. Atkins had omitted to send all the laws made at the last Assembly, for which neglect their Lordships agree to report that he receive a severe reproof; not only because his instructions direct him to send over all laws by the first opportunity, but because he had assured them that he had transmitted all laws in force, whereby he has not only failed in his duty, but misled their Lordships into a belief that they were possessed of all the laws. 2ndly. Their Lordships observe that these Acts are very unreasonable for the reasons herein set forth. The Governor is to be acquainted that he is the more answerable for this fault, inasmuch as by his commission he is entrusted with

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a negative voice in the making of all laws to the end that nothing may be passed to His Majesty's prejudice. And how far these Acts are detrimental to His Majesty could not be unknown to the Governor for the reasons specified by their Lordships. And it is much to be wondered at that Sir Jonathan Atkins should go about to dispose of His Majesty's revenue without first acquainting His Majesty with it, wherein he should not have failed, although he had no special instruction to that effect. Their Lordships agree to report accordingly, and that His Majesty's disapprobation and disallowance of his proceedings be signified to him, with orders that not only all actions and suits-at-law by colour of said Acts do immediately cease, but that the same be forthwith repealed and declared void. Their Lordships then proceed further to examine all Acts in force in Barbadoes from 1660 to 1672 transmitted by Governor Atkins, adding that the people conceive them to be perpetual, as being sufficiently confirmed by the patent to the Earl of Carlisle, which their Lordships nevertheless do not agree to and give their reasons, but resolve to speak with the merchants of Barbadoes, who are appointed to attend on Friday (27th). The other laws made during Sir Jonathan Atkins' government considered and commented upon, particularly those of the Militia and the public revenue, for which the Governor deserves very severe reproof; and he is to be strictly directed to transmit all Acts within three months after they are passed, and His Majesty to signify to him that upon his default he shall be recalled from his government. [*Col. Entry Bk., Vol. CVI., pp.* 30–37.]

June 26. Council Chamber. **1035.** The Report of the Lords of Trade and Plantations to the King agreed to, as calendared in the previous abstract. [*Col. Entry Bk., Vol. VI., pp.* 265–269.]

June 27. **1036.** Journal of Lords of Trade and Plantations. Read, rules drawn up for settling a government in the province of New Hampshire. Their Lordships think fit that besides a President, six Councillors be chosen by the King, and power given to them to choose three more; also that the Council do forthwith call an Assembly with power to agree with Mr. Mason concerning the title and tenure of their lands and tenements; and where any differences shall arise, the Council is to endeavour to bring about an amicable settlement; also that the impositions raised by the authority of Massachusetts be continued until the first meeting of the Council. Mr. Mason, on their Lordships' representation, promised to levy no more than sixpence per annum in the pound for every acre, and to enter into engagement with the King to this effect before his departure. As soon as the inhabitants have fixed their boundaries Mr. Mason shall remain sole possessor of all other lands within his property which are not already in the hands of terre tenants.

Agreed upon motion of Lord Essex to recommend that all payments made to the Governors and other officers of the Plantations, and for the soldiers maintained there, be transferred from

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the Exchequer and paid by the Paymaster of the Army upon a general establishment to be settled for that purpose.

Colonel Thornbury, Mr. Bawden, Mr. Chaplin, and Mr. Gorges, merchants concerned in Barbadoes, being called in and questioned concerning the laws of Barbadoes say, that not knowing for what business they were summoned they were not able to give a direct answer, and desire a further time when Colonel Drax and Sir Peter Colleton may attend. They give their opinions, however, that many laws made during the Earl of Carlisle's propriety and by the Lord Francis Willoughby before the surrender of the patent are still in force, Lord Willoughby having had from the King's Restoration till 1663 a mandamus from His Majesty to govern Barbadoes, besides his title from the Earl of Carlisle. They say likewise that there was formerly a duty of head-money paid in Barbadoes to the Earl of Carlisle, which was forty pounds of cotton during Colonel Bell's government, between the years 1630—1640, and that the 4½ per cent. was granted to His Majesty in 1663, in consideration of that duty and all others to the King. They add that if the laws be not sent home by the Governor in due time it is only his fault. They complain of the farmers of the 4½ per cent., and of the manner of levying it, and say Sir Peter Colleton and Colonel Drax are empowered by the Island to engage to pay the King here in England as much as the farm amounts to without any defalcation, instead of the present farm, which would be an advantage to the King and a relief to the planters. Asked whether they knew of any law allowing a second free entry, they answer that during the government of the two Lord Willoughbys they were permitted without any law to make a second free entry upon a loss at sea by taking out a new cocquett for the like quantity of goods; and that this from a custom became a law. They promise further information on Friday next. 4 *pp.* [*Col. Entry Bk., Vol. CVI., pp.* 42–46.]

June 27. Council Chamber. **1037.** *Mem.*—The Lord President is desired by the Lords of Trade and Plantations to report to His Majesty in Council, that upon a motion made by the Earl of Essex from the Lords of the Treasury, their Lordships are of opinion that it will best consist with His Majesty's service and the ease of the Treasury, that all allowances made by His Majesty unto the Governors and other officers of the Plantations, as also for the Companies maintained there, may be paid by the Paymaster of His Majesty's Forces upon the general establishment settled for that service. [*Col. Entry Bk., Vol. XCVII., p.* 63.]

June 27. **1038.** Order of the King in Council. To fix the establishment and allowances of the Plantations, as follows:—

Barbadoes.

	£	s.	d.
The Governor, per annum - - - -	800	0	0

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Jamaica.

	£	s.	d.
The Governor, per annum - - -	1,000	0	0
The Deputy Governor, per annum - -	600	0	0
The Major-General, per annum - -	300	0	0
Maintenance of forts, per annum - - -	600	0	0
Two companies of 100 men apiece, besides officers, per annum - - -	3,327	11	8
	5,827	11	8

Leeward Islands.

Governor, per annum - - - -	700	0	0
Two foot companies, each of 80 men, and officers, per annum - - - - -	2,778	10	8
	3,478	10	8

New York.

Maintenance of forts, per annum - - -	1,000	0	0

Virginia.

Governor, per annum - - -	1,000	0	0
Lieutenant Governor, per annum - - -	600	0	0
Major-General, per annum - - -	300	0	0
Maintenance of forts, per annum - -	600	0	0
Two companies of 100 men, and officers, per annum - - - - -	3,327	11	8
Chirurgeon, per annum - - -	91	5	0
Chaplain, per annum - - - -	121	13	4
	6,040	10	0
Engineer retained for possible building of a fort, himself 10*s.* a day, his servant, 2*s.* Together per annum - - -	219	0	0
Gunsmith and two mates at 8*s.* 4*d.* per diem. Together per annum - - -	152	0	0
Total - - -	17,517	12	4

The above to be paid by the Paymaster of the Forces. The allowances for the foot companies in Jamaica and Virginia, as also for maintenance of forts in New York, to be continued for one year and until further order. [*Col. Entry Bk., Vol. XCVII., pp.* 63–66.]

June ? **1039.** The title of Robert Mason to the province of New Hampshire with his case, and the proceedings of the Government of Massachusetts Bay. 3 *pp.* [*Col. Papers, Vol. XLIII., No.* 78.]

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June ? **1040.** Reply of the Agents for Massachusetts to the title and case of Robert Mason. 3 *pp.* [*Col. Papers, Vol. XLIII., No.* 79.]

July 1. **1041.** Mr. Robert Mason's agreement with the King about New Hampshire. Reciting that the King has thought fit to free the province of New Hampshire from the jurisdiction of Massachusetts; and has required Robert Mason to remit unto the inhabitants all rents and demands to the 24th June last past, and to make them a legal grant and title to the lands improved by them, on condition that the said inhabitants become tenants and for the future pay to the said Robert Mason a quit rent of sixpence in the pound upon the full and yearly value of all houses and pounds thereto belonging, and upon all improved lands, excepting woodlands only which are to remain at the said Robert Mason's disposal; and that the said Robert Mason accepts the above terms. *Signed and sealed.* 1 *p.* [*Col. Entry Bk., Vol. LXVII., p.* 2, *and Col. Papers, Vol. XLIII., No.* 80.]

July 1. **1042.** The Governor and Council of New Plymouth to the King.
New Plymouth. Have received the King's letter of 12th February $167\frac{8}{9}$ concerning claims and claimers of lands in the Narragansett and Niantick countries, and have made it known to those in the Colony that pretend to any interest there by virtue of a purchase made by Major Atherton, who desire their humble submission, still hoping to obtain settlement in their rights. By the same letter are informed that Mr. John Crown has petitioned for a grant of Mounthope, and are directed to inform His Majesty of their title to that country and of its true extent and value. The lands of Mounthope belonged to the Sachem Philip, and are unquestionably within the patent grant made to New Plymouth, within which none might purchase or in any way obtain lands but they and those whom they allowed, and were conquered by the joint forces of Massachusetts, Connecticut, and New Plymouth by the expense of more than 100,000*l.* besides inestimable damage sustained by particular persons and plantations, and the loss of the lives of many hundred of their brethren, children, and choice friends. The profits of the war (except a few prisoners taken in the latter end thereof) were only land. New Plymouth being the seat of the war suffered more in proportion than any, and therefore had Mounthope, with a small ragged tract of land adjoining to it, for their part, by agreement of the confederate colonies, who were allowed 1,000*l.* because the New Plymouth lands were judged more valuable than theirs, and Mounthope with its appurtenances by far the better part of the conquest lands. Have put it to sale for 3,000*l.* but have not yet found chapmen. The area is reckoned to be 7,000 acres at the most, part of it a good soil and much of it rocky, mountainous, and barren, which commends it and causeth them highly to esteem it and earnestly to beg that they may not be deprived of it, not only because they have fought and paid and bled for it, but because this Colony for want of good harbours could never get considerable improvement of the sea, whereas these places are well accommodated

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for the settlement of a sea-port town or two. Humbly offer an answer to His Majesty's blame for that they had not given an account of the war; perceive that they have been greatly abused by miscarriage of letters, both from the Colony and particularly from the Governor, bearing date 12th June 1677, copies whereof they transmit. Hope to find the originals, and also a small present of their Governor's therein mentioned. Know that letters and present came safe to London and hope to have them presented, though very untimely. Pray that this poor Colony that made the first settlement in this wilderness to spread the Gospel and enlarge the King's dominions may not by misinformation of any evil-minded persons, their neighbours, be deprived of what they have to live upon. Their whole patent is but a very narrow strip of land and generally mean, and the people here by God's goodness are greatly increased. Should they be eaten out by their neighbours of Rhode Island, to whom they have in a certain sense given being, it would argue high ingratitude in them, and New Plymouth would account it the worst of deaths. Having written about two years since and doubted not till now that the letters were received, did believe the King was satisfied and thereupon disposed of some of the conquered lands in order to a settlement, which, if reversed, would reduce them to great straits and plunges, they having the above-mentioned 1,000*l.* to pay, and many lame soldiers, widows, and orphans to provide for. Beg for a speedy answer. Their Governor was careful last year to give an account of the trial of the controversies between Mr. Harris of Patuxet and his neighbours, but sent the letters to Secretary Williamson, who was dismissed from that trust before the letters arrived, so that they were sent back and are herewith presented. *Signed by order of the General Court*, Nath. Morton, Secy. *Endorsed*, Presented in Council by Mr. S. Coventry 26 Sept. '79. Read the 2nd of March $16\frac{79}{80}$. 1 *p.* *Original damaged at the edges, signature gone.* [*Col. Papers, Vol. XLIII., No.* 81.]

Copy of the above. 6 *pp.* [*Col. Entry Bk., Vol. LXI., p.* 17.]

July 2. Council Chamber.

1043. Memorandum and Report of Lords of Trade and Plantations on the Treaty of Neutrality to be concluded with the French. Mr. Secretary Coventry having informed their Lordships that the French Ambassador declares himself ready to treat, the Lord President is desired to move His Majesty in Council that a Commission may be passed under the Great Seal empowering such of the Lords of the Council as are named to treat with him, as also that orders may be given for negotiating a Treaty of Commerce with the French.

Here follow the heads of the proposed treaty to provide for neutrality of the British and French West Indies, even in case of a rupture between the mother countries. The English possessions enumerated by name are Barbadoes, Jamaica, St. Christopher, Nevis, Montserrat, Antigua, Anguilla, St. Eustatius, Barbuda, Saba, Tortola; the French, St. Christopher, Martinique, Guadaloupe, Tordudos (*sic*), Hispaniola or St. Domingo, Grenada, Santa Cruz,

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Cayenne, St. Martin, St. Bartholomew, Mariegalante. Any differences in the Caribbee Islands shall be settled by the English and French Generals of the respective Governments; differences between Hispaniola and Jamaica by the Governors of those two islands. The Treaty of Breda is respected. Nine Articles in all. 4½ *pp.* [*Col. Entry Bk., Vol. XLVI., pp.* 367–372.]

July 2. **1044.** Order in Council on a Report of the Committee for Plantations concerning William Harris. The Committee, in answer to the reference of 23rd May concerning the pretensions of William Harris, enumerate the proceedings previously taken and the order of 2nd January; are of opinion that by reason of the distance it will be a matter of great difficulty for His Majesty to give such judgment as may equally decide the pretensions of Harris and of Randall Holden and John Greene; advise that commands be sent to the Governor and Council of New Plymouth to hear the dispute and to report thereupon to His Majesty, and to the Governor and magistrates of Rhode Island, requiring the latter to put Harris and his partners in possession of Patuxet, and to take care that execution be given for the damages and costs allowed by the verdicts within three months. 19th June 1679. Shaftesbury, Pr., Bridgwater, Fauconberg, Thomas Dolman. Ordered, that a letter be prepared accordingly. 4½ *pp.* [*Col. Entry Bk., Vol. LX., pp.* 346–351.]

July 2. **1045.** Report of Lords of Trade and Plantations to the King. The claims of Robert Mason to New Hampshire. Recapitulation of the history of the case, with reference to petitions, opinions, orders, &c., from the days of James I. Upon the whole matter the Lords advise an express Order in Council declaring that the Corporation of Massachusetts have no right either to soil or government beyond three miles to the north of the Merrimac river, nor to the soil or propriety of any land lying between the rivers Naumkeck and Merrimac, and that all alienations of the said lands made by them are null and void. Also to command the inhabitants of the tract of land between Naumkeck and Piscatawa to receive Robert Mason as their lawful proprietor, pursuant to the Letters Patent of King James I., unless they can show sufficient reason to the contrary, when their pretensions shall be judged before the Privy Council. *Draft.* 8 *pp. Endorsed,* 2 July 1679. [*Col. Papers, Vol. XLIII., No.* 82.]

July 3. **1046.** Petition of Thomas Oxford to the King. While the Lords of Trade and Plantations are considering the settlement of Government in Newfoundland, petitioner, for want of such settlement, is daily discouraged and wronged, robbed of several goods and a negro servant. Prays restoration of the negro and compensation for other damage. 1 *p. Endorsed,* Recd. 3 July. Read in Council 4 July 1679. [*Col. Papers, Vol. XLIII., No.* 83.]

July ? **1047.** Questions proposed to the Lord President to be asked the gentlemen of Barbadoes; *who were called before the Lords of Trade*

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and Plantations by name, and answered each question as recorded in their Lordships' Journal abstracted in the following entry. [*Col. Papers, Vol. XLIII., No.* 84.]

July 4. Whitehall. **1048.** Journal of Lords of Trade and Plantations. The Commissioners of Customs directed to give a particular specification of Imports from and Exports to the West Indies. Sir Peter Colleton, Col. Drax, Mr. Lucy, Colonel Thornburgh, Mr. Chaplin, Mr. Bawden, Mr. Gorges and others called in and asked as to the laws of Barbadoes. They conceive that laws made by Commission from the Earl of Carlisle remain still in force unless repealed, whether approved by the King or otherwise; also that the laws made by Lords Francis and William Willoughby, though their Commissions expressly required the Royal confirmation thereof, remain perpetually in force, since His Majesty has not for so long time excepted against them. They say that all laws made since that time remain in force for two years and no longer, unless confirmed by the King; it is the Governor's duty to send them home for the purpose; they are surprised to hear of any difficulty herein, for the Council would send them home without fail; since His Majesty has chosen the Council, the Councillors very jealous for the royal prerogative and the royal interest. They declare themselves surprised at the Governor's failure to send home the Act for a second free entry for goods lost at sea; defend the Act itself as sanctioned by custom under the Lords Willoughby in imitation of an English Act of Parliament; hence the Governor re-enacted it in good faith. When the present Act was made retrospective for three years it was supposed that the present farmers were concerned in the first farm. Since their Lordships take such offence at it, the Assembly will doubtless repeal it, being far from desiring to do or continue anything to the King's prejudice. Their Lordships taking exception to the short time for which certain laws are enacted, causing frequent meetings of the Assembly and hence interruption of trade and business, Sir Peter Colleton replies that the Assembly is always bound to meet frequently for the amendment of the laws concerning their negroes and plantations; the members pay their own share of the expense, and enjoy no privilege for selves nor servants; even Councillors have no particular immunity. The custom is to pass no law without three adjournments, which means frequent sitting. Their Lordships think hereupon, that the Governor and Council, who make two parts of the Legislature, being nominated by the King, no prejudice can happen to His Majesty while they do their duty; that for greater security the Governor, on receiving from the Assembly any Bill of more than ordinary importance, or relating to the King's revenue, should send it to the Council with the reasons why the law should pass, that the same being examined in England may be returned with such reasons as should here occur concerning it.

Sir Peter Colleton and Colonel Drax state that they are empowered to offer that the Island shall take the 4½ per cent. duty so far as concerns itself, with its own hands, and pay to the King in

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England the same sum as the farm is now let for, without any defalcation. Captain Crispe makes the same offer on behalf of the Leeward Islands.

The gentlemen being withdrawn, their Lordships consider the Book of Laws sent by Sir Jonathan Atkins, and are of opinion that they may be confirmed by the King, after examination by Serjeant Baldwin to make sure that they contain nothing derogatory to the royal authority. Sir Jonathan Atkins, having neglected several parts of his instructions, and failed to answer letters and enquiries, it is agreed that a particular account be sent him of his past omissions, and of what is expected from him in future; and whereas he says that on the death and absence of divers Councillors the King's business is forced to lie idle, their Lordships will report that five instead of seven members may make a quorum in future. 6 *pp.* [*Col. Entry Bk., Vol. CVI., pp.* 46–51.]

July 4. **1049.** Journal of Lords of Trade and Plantations. The Bermuda Company attend and say in reply to questions that they have not failed to answer their Lordships' letters from want of respect, but because their magazine ship is not yet come in. Ordered, that they be furnished with copies of the Petition and Complaint, and that both parties attend on Wednesday sennight at nine in the afternoon. [*Col. Entry Bk., Vol. CVI., p.* 52.]

July 4. Council Chamber. **1050.** Report of Lords of Trade and Plantations to the King in relation to Barbadoes. As to the laws which are to be in force two years and no longer unless confirmed by your Majesty within that time: The Governor has upon various and frivolous excuses delayed to send them and at length has sent them so imperfect and so late after the time of their enacting, as they could not admit of our examination and your Majesty's allowance within the time limited. We were finally assured that Governor Atkins had transmitted all the laws in force, when at the same time a complaint was presented by the farmers of the 4½ per cent. duty against an Act of which we had not received any notice, "whereby we are convinced that instead of complying with your Majesty's instructions, endeavours are used by him to conceal matters of that nature from us." Notwithstanding our repeated instances he has failed to be accountable unto us of divers particulars relating to his government. Though directed to make laws for two years, many are limited to a few months without any reason given, which occasions great inconvenience and danger to that island, and which, as Governor Atkins himself has observed, tends to the great confusion of the people and prejudice of the country. For remedy of all which inconveniences propose that His Majesty by letter declare his pleasure to Sir Jonathan Atkins upon the above-mentioned particulars according to the draft annexed (*see No.* 1,074). Have received from him a book of laws made in Barbadoes from 1660 to 1672 which we propose should be sent to Mr. Serjeant Baldwin, one of His Majesty's Council, to examine and report upon. And whereas Governor Atkins complains that by the

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death and absence of many Councillors he cannot without great difficulty get a quorum to attend, we humbly advise that the quorum be reduced from seven to five councillors. [*Col. Papers, Vol. XLIII., No.* 85, *and Col. Entry Bk., Vol. VI., pp.* 269–273.]

July 5. Whitehall. **1051.** Journal of Lords of Trade and Plantations. Ordered that the petition of the inhabitants of Bermuda be sent as the former to the Company to make answer thereunto. [*Col. Entry Bk., Vol. CVI., p.* 52.]

(July 5). **1052.** Petition to the King from the Merchants and Freeholders of Bermuda. At the general planting of the Bermudas many of the nobility, gentry, and others were incorporated under the name of the Governor, &c., under pretence of a grant of the said islands to them by the Virginia Company, long since dissolved; the said Company were then owners of all the lands in the said islands, and the planters and their tenants or servants sent thither at the Company's charge. The petitioners with great hazard, labour, and industry, long since purchased three quarters of the land and became owners thereof. The Company, besides the alienation of their lands, are now so few that their government is not practicable as it is directed by their charter; nor have they traded as a Company upon a joint stock for more than fifty years. The now pretended Company, however, (contrary to the laws made by the true Company before they had sold any of the land) does now impose so many taxes, payments and intolerable hardships (a schedule whereof is annexed), keeping petitioners under such slavish subjection and tyrannous oppression, that they can no longer endure it. Petitioners by their Assembly made complaint five years since by petition to the King and the pretended Company; but the Company concealed the petition, gave no relief, and ordered that the Assembly should meet no more. Pray the King to grant them a Governor who will give them free trade according to the Navigation Act; will cheerfully pay all duties and customs, fortify their land, and pay their Governor without any expense to His Majesty. *Annexed,*

1052. I. An abstract of the Planters' Articles against the Bermuda Company. *The Articles are sixteen in number expanded from the eleven in the former petition* (*see ante, No.* 990 II.), *the additional particulars being* that the Port dues charged amount to a shilling a ton; that though the Company prohibits whale fishing, it had previously granted a lease thereof; that ships and goods bringing tobacco from Bermuda are confiscated by the Company; that the Company lays a tax on tobacco which amounts to a third part of the profit on the land; that the Company suffers the planters to have no goods from England except those brought in its own magazine ship, and those at excessive rates; that when the officers make distress for those payments they never return the surplus; that the forts and guns are in so ruinous a condition that the place is incapable of making any defence. *Signed* by 57 of the

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inhabitants. Recd. 5th July 1679. *The two documents together, 4 pp.* [*Col. Entry Bk., Vol. XVII., pp.* 69–73.]

July 7. Wapping. **1053.** Sir W. Warren to Sir R. Southwell. Has for many years traded to New England, but was never there in his life, and so knows but few people there; those that he has dealt with in the parts about Piscataqua that are eminent men and fit to serve His Majesty in the quality he mentions are Sampson Sheafe, Richard Waldron, Peter Coffin, John Cutt. From inquiry amongst the New England men there find that the most eminent and best qualified men for that trust are, in Exeter, Gillman, Fulson; in Portsmouth, Sampson Sheafe, Elias Stileman, John Cutt, Thomas Davies [Daniel?], Richard Martin, Nathaniel Fryer, William Vaughan; in Dover, Richard Waldron, Peter Coffin, John Gerrish, Anthony Nutter; in Hampshire, Sam. Dolton, Captain Hussey, John Samburn, Nathaniel Wyer. 1 *page, with seal.* [*Col. Papers, Vol. XLIII., No.* 86.]

July 7. **1054.** Names of Councillors for New Hampshire. Identical with those in the foregoing, except that the name of Sampson Sheafe is omitted. *Endorsed,* From the Agents of New England 7 July 1679. *Scrap.* [*Col. Papers, Vol. XLIII, No.* 87.]

July 8. **1055.** Journal of Assembly of Barbadoes. Colonel Richard Guy again chosen Speaker. Orders for allowance of the duty of "decayed liquors" of 24th June last (*see ante, No.* 1018) confirmed. The Act for the speedy collecting of arrears of levy passed with amendments made by his Excellency and Council. The Assembly, finding their year to expire this night, order that their records be left in the hands of the present Speaker until there be a new election. [*Col. Entry Bk., Vol. XIII., pp.* 351–353.]

July 9. **1056.** The King to the General Court of New Plymouth. Concerning William Harris (*see ante, No.* 1044). Requires the Governor and Magistrates to examine the pretensions of Holden and Green and others against Harris. If Rhode Island does not within three months allow Harris peaceable possession of Patuxet, they are to cause the first and three last verdicts of the Commissioners, with costs, to be executed without delay. 4 *pp.* [*Col. Entry Bk., Vol. LXI., pp.* 2–5.]

[July 10?] **1057.** [Lords of Trade and Plantations to the Governor and Council of New Plymouth (?).] Recommend to them Thomas Baxter, who lost his fingers and most part of his left hand in the defence of the Colony against the Indians. 1 *p.* [*Col. Entry Bk., Vol. LXI., p.* 1.]

July 10. Whitehall. **1058.** Order of the King in Council on Report of Lords of Trade and Plantations. Concerning the Government of New Hampshire. The King having determined to take all the towns and province of New Hampshire into his own care, the Lords propose the following form of Government:—(1) A President and

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Council constituted under the Great Seal. (2) The Council to be of nine members, six to be nominated by the King, who shall swear in three more of their own selection from the several parts of the country. The President to have power to name a deputy; and the President or his deputy with five others to make a quorum. (3) The Council to open its commission at Portsmouth and be provided with a seal from England. (4) The Council, for the present, to administer justice, civil and criminal, according to the laws of England, so far as circumstances permit; appeals to lie to the King in Council in matters of real property, personalty to value of 50*l.*, and criminal cases except murder. (5) President and Council to issue commissions for defence of the territory. (6) Liberty of conscience to all, and special encouragement to Church of England. (7) The oath of allegiance to be administered to all that hold office; all old commissions to be recalled, and future commissions to run in the King's name; the present directions to be proclaimed. (8) The present taxes to be continued for the expenses of Government. The President and Council, three months after constitution, to issue writs for election of a General Assembly. Details of suffrage, etc., entrusted to them. Acts of Assembly to come into force after approval by President and Council, pending confirmation by the King. The Assembly to nominate three persons, of which the King will choose one to be President of that Council, and 18 more, of whom the King will select nine to be members of the said Council. Vacancies to be filled by election of the Council, the name of the chosen member being sent home, with those of two others, for the King's choice. The Council to be informed that the King "inclines to observe this method of grace and favour towards Assemblies till by inconveniences arising from thence he see fit to alter the same." (9) Titles to land to be settled, if possible, according to a proposal of Mr. Mason's to recognise all existing titles as valid on payment of sixpence in the pound on the value of all houses and improved land, and retain all land unclaimed for his own use; if not, by the President and Council, and in the last resort by the King and Privy Council. (10) All rules and methods of the President and Council to be sent home for confirmation. Report dated 5th July 1679. *Signed*, Shaftesbury, Anglesey, Arlington, Russell, H. Powle, J. Ernle, Tho. Dolman. Ordered hereupon, that Mr. Solicitor Finch prepare a Bill for the Royal Signature in accordance with foregoing report, to be passed under the Great Seal. Mr. John Cutts of Portsmouth to be the first President; Mr. Richard Martin, Mr. William Vaughan, Captain Thomas Daniel, all of Portsmouth, Mr. John Gillman of Exeter, Captain Christopher Hussey of Hampton, and Major Richard Waldron of Dover, to be of the Council, as recommended by the Lords of Trade and Plantations. 8 *pp.* [*Col. Entry Bk., Vol. LX., pp.* 360–366.]

July 10. St. Jago de la Vega. **1059.** Governor Lord Carlisle to Secretary Coventry. A week ago a vessel arrived from Nevis. She was in harbour, when two French men-of-war, passing by the fort where the King's flag was

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flying, refused to strike. The fort fired seven guns, two of which are believed to have struck the French hull, whereupon the Frenchman, luffing, edged into the harbour, fired seven shotted guns through the harbour into the town, and so stood out to sea. On the 7th instant, at 11 p.m., the Point was alarmed by the appearance of eight French men-of-war in the offing. The Point fired guns to give the alarm to leeward. I received it myself at Guanaboa, 22 miles from the Point, took horse, and was in with the forces at their arms before day. Being got early to the Point in a good condition of defending itself, I met there Count d'Erveaux, a Knight of Malta, with some other French officers, who pretended to come from Count d'Estrées to ask leave to wood and water at Blewfield's Bay, or Point Negril, one of the most leewardly ports of this Island. The reason given was that they were bound first for Carthagena to demand thence all French prisoners, but, being driven to this coast by violent breezes, were now bound to Havanna to make the like demand; that they were unwilling to trust to Spanish courtesy for wood and water, which they intended to demand, but believed that the denial thereof by the Spaniards would lead to quarrel, they expecting the same privilege in the West Indies as in the Mediterranean. They told us they came from France 14 sail, but had left seven at Lisbon to attend Count Schomberg. To what end these French are come here we cannot possibly learn; they say, against the Spaniards, but the people distrust their speech. They admired the island, but said they should have a better in Cuba. They were respectfully treated from morning till evening, when a small frigate came into the harbour-mouth, took them aboard, and, after saluting the port, stood off to the fleet, which was cruising all day about two leagues to windward of our port. The Point was so alarmed that the inhabitants removed their goods and families for fear of a French descent; and several sloops coming in with advice that the French fleet was standing off to windward, this so increased their jealousies that I called a Council to the Point. It was agreed that a council of war should be held and martial law proclaimed for 30 days, which was done accordingly. The whole of the inhabitants, soldiers and slaves, were set to work to increase the fortifications, I being very glad of the opportunity of carrying on work which would otherwise have gone forward very slowly. Still, in my opinion, the French aim rather at Havanna than Jamaica, and if they get possession of this, the key of the West Indies, as they certainly may unless obstructed by England, they will command the treasure of this part of the world more to the prejudice of England than the Spaniards. Pray consider this. H.M.S. Hunter and two sloops are watching the French fleet. On 12th July, at 7 p.m., news came from Blewfield's Bay, to leeward, of eight French war-ships within the bay. This has quieted the people, who feared they were to windward. The occurrence has done us more good than harm, but the generality of people will not give up their opinion that the French fleet when reinforced is designed against this Island. The common law will take place again nine

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days before the meeting of the Assembly; a busy Session expected. Pray move the Master of the Ordnance to hasten to us gun-carriages, powder, and small arms; the alarm has occasioned the using of all we had in store; and also the King to order recruits for the two companies under pay here. I shall continue or shorten the duration of martial law according to the progress of our defences. "Read at the Committee 9 Oct. 1679." 4 *pp.* [*Col. Entry Bk., Vol. XXIX., p.* 329.]

July 14. Maryland. **1060.** Lord Baltimore to William Blathwayt. Thanks for your letter of 1st January. I enclose "for your divertisment" copy of an Act of the Assembly of Virginia, just passed for their security against the incursions of the Northern Indians, who daily infest them, and cause me to apprehend some mischief; but as yet Maryland has received no prejudice from them. You may remember that I left with you some papers relating to a peace made by Maryland with the Northern Indians, and made for Virginia as well as Maryland. It is with these Indians that they now have all this trouble, that peace having been violated last summer by some indiscreet, or rather mad, men of the Colony. It would be a long story to write, so I must wait till I see you. By those Acts that I send, you may be perceived how they precipitate their business, taking very great care in the penning of laws. Many things mentioned in this great law for their defence of the Colony in my opinion nowise becomes the grandeur of an Act. But I must not trouble you further.

Postscript.—My humble service to Sir R. Southwell and his lady; I should have writ to him but that I apprehended to have given him too great a trouble. *Signed.* 1 *p.* [*Col. Papers, Vol. XLIII., No.* 88.]

July 15. **1061.** Answers of the Somers Islands Company to Inquiries from the Lords of Trade and Plantations. [*This paper is given in form of successive questions and answers in Col. Entry Bk., Vol. XVII., pp.* 51—62.] (1.) The Bermuda Islands were discovered by the English in 1609, being then unclaimed and uninhabited; and the said Company having purchased the soil thereof was incorporated in the 13th year of King James by the name of the Governor and Company of the City of London for plantation of the Somers Islands, and thereby had the sole government committed to them, with power to make laws and ceremonies of government. The said Islands are governed subordinately by a deputy governor and his council. The deputy governor has his commission from the Company in London, and his council are eight persons of note in the Island; the sheriff and secretary of the Islands are also of the council. Deputy governor, sheriff, and secretary are all chosen by the Company in one of their four quarter courts. By law of the Company there is constituted a general assembly, consisting of governor, council, and forty persons chosen by the respective tribes, who have power to present laws to the Company for approval, such laws being valid only on confirmation

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by the Company. General sessions and assizes are held every year by the governor and council, to decide all causes criminal or civil. (2.) There is no court of admiralty; governor and council determine maritime causes on occasion. (3.) The legislative power is in the Company, and the executive in the Island. (4.) The Company have made several laws and statutes, which are contained in their books. They conceive these to he pursuant to their power, and in no way prejudicial, and are ready to produce them if desired. (5.) There are six companies of foot in trained bands—about a thousand men armed with musket and sword. The deputy governor is captain general, the six foot-commanders are appointed by the Company. Troops are mustered at least four times a year. (6.) There is one castle, called King's castle, and one fort, Southampton fort, at the entrance to the castle harbour; two more forts, Padgett's and Smith's, at the entrance to the town harbour, all victualled annually at the Company's charge, and attended and served by the public tenants; the Island is naturally fortified and very difficult to take. (7.) No privateers or pirates frequent the Island. (8.) Virginia, Carolina, and Bahama Islands are the nearest neighbours, planted with English; their trade, tobacco, furs, and wood. (9.) Bermuda trades with them in all sorts of provisions. (10.) Description,—Bermuda is a ridge of land lying nearly N.E. and E. and S.W. and W., but rounding; its broadest point is two miles, its narrowest half-a-mile wide; length, twenty miles; longitude, 58° 20″ West of the Lizard; latitude, 38° 20″. The eight tribes are sub-divided into 50 shares, each share 25 acres, besides the public lands appropriated for maintenance of the government, all settled and inhabited. (11.) St. George's is the only town; the places of trade are the storehouses of the inhabitants; houses generally built of cedar, none exceeding two storeys and garrets. (12.) Each tribe is a distinct parish. (13.) No rivers; two harbours; no soundings out of sight of land; very good anchorage in 8 fathoms in Castle Harbour, 5 fathoms in Town Harbour; 18 feet and 13 feet water at the entrance at low water. (14.) Staple produce,—tobacco, exported and consumed on the spot, to value of about 5,000*l.* annually. There is timber growing, but nothing else that may be produced for shipping. Imports,—wearing apparel, household goods, and some liquors. Exports to neighbouring islands,—beef, pork, fish, wax, honey, Palmeto hats, baskets, wooden ware; value about 6,000*l.* annually. (15.) No salt or saltpetre in the Island. (16.) Population,—four merchants, English, no strangers, about 400 planters, total 8,000 men, women, children, and slaves; about 1,000 men fit to bear arms. (17.) No white immigrants from any quarter whatever for seven years past, the Island being fully peopled; about 50 blacks brought in during past seven years, and sold at about 15*l.* a head. (18.) About 120 blacks, whites, and mulattos born in one year, and half of them christened. (19.) About 30 marriages a year in the whole Island besides those of blacks. (20.) About twenty deaths per annum on average of past seven years. (21.) The estates of the merchants may be about 100*l.* each in value, total wealth of the Island about 20,000*l.* (22.)

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Shipping,—ten or twelve sail of small vessels come in annually from New England, New York, Barbadoes, &c., for the provision trade; eight or ten more may call on their passage to and from other places; thirteen or fourteen vessels belonging to the Island varying from twenty to eighty tons. (23.) There is no obstruction to trade or navigation, nor (24) is there any improvement that can be wrought thereto. (25.) Rates and duties,—No duties payable on any goods exported or imported, whether produced in the Island or not, except a duty of fourpence a gallon on rum, which has never yet been levied, except for public uses in the country, and a duty of about one penny per pound upon tobacco brought into England, which is paid by the merchants that import it in England, and is applied to the public use of the Company and country. (26.) Religion,—the Presbyterian persuasion is most prevalent, being reckoned to include two-thirds of the population, the remainder being Independents, Anabaptists, and Quakers. (27.) There are nine churches and five ministers, who are sufficient to supply all churches; each of them receives 40*l.* a year from the Company, a house, and two shares of land; there are some poor indigent persons in the Island, but no beggars. *Signed* by order of the Court 15th July 1679, Gilb. Gerard, Dep. 4½ *pp.* [*Col. Papers, Vol. XLIII., No.* 89, *and Col. Entry Bk., Vol. XVII., pp.* 51–62.]

July 15. **1062.** Answer of the Somers Islands Company to the grievances and complaints of the signatories of the Bermuda petition (*ante, Nos.* 990 I., II.), "who call themselves freeholders, merchants, and inhabitants of Bermuda," and to the abstract of Planters' Articles (*ante, No.* 1,052 I.). (1) No freeholders have ever been dispossessed without due proceedings. (2) No ships are prohibited from touching at the Island; port dues are charged everywhere, and those at Bermuda are reasonable. (3) The duty of 4*d.* a gallon on rum is levied by law of the Company and is conceived to be reasonable. (4) The Company never omitted to send a magazine ship, but in one year, viz., that of the Dutch war. (5) There is a law for the holding of Assemblies, which, if neglected by the Governor without occasion, will be enforced by the Company. Petitions to the King are not stopped; only private petitions under five pounds between party and party require the Company's approbation. The Company know of no occasion to examine the proceedings of the Governor and Council, and therefore have not sent a Commission for the purpose. (6) If the Governor and Council impose illegal taxes, it is without the Company's order, and upon complaint will be redressed. But the public lands are not sufficient to pay the expenses of the Government. (7) The Company's magazine ship is sufficient to carry all dry goods, and no others ought to go without the Company's leave. The matter has already been brought before the King in Council by Mr. Trot and others, and decided in the Company's favour. (8) The building of ships of over five tons burden is prohibited, to preserve the timber supply of the Island. (9) The Company's ship is generally sufficient to carry away all the

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tobacco, and in case of an extraordinary crop, a second ship is sent. The bringing it to the Port of London secures His Majesty's customs which might otherwise be lost. (10) The whale fishery is a Royalty of the Company. There is a lease thereof existing, but the fishery has lately been prohibited at the request of several of the lessees (owing to differences among themselves), the Company deriving no benefit from the same. (11) No tobacco should be brought from Bermuda, but in the Company's ship; any brought otherwise the Company has power, by its charter, to confiscate. (12) There is a duty on tobacco, and has been for fifty years, to pay the expenses of Government; it cannot be very prejudicial to the planters for it does not amount to more than 20*l.* a year. If the Government could be supported otherwise, the traders living in England would not lay this burden on themselves. (13) The Company's magazine ship is sufficient for the Island; the rates are reasonable and the Island well supplied. (14) If there had been any unlawful distress, the Company would, on complaint, have redressed it. (15) The forts were never in a better state then at present, and the Company takes care to keep up the supply of arms. (16) The Company has endeavoured to obtain its just tax on tobacco, according to its laws and constitutions, the same being necessary for support of Government. *Signed* by order of the Council on the 15th July 1679, Gilb. Gerard, Dep. "Recd. 16 July." 3½ *pp.* [*Col. Papers, Vol. XL., No.* 90, *and Col. Entry Bk., Vol. XVII., pp.* 73–77.]

July 15. Nevis. **1063.** Governor Stapleton to Lords of Trade and Plantations. Acknowledges receipt of His Majesty's decision as to the Tobago negroes (*see ante, No.* 972). It will be impossible to take the whole number or their proceeds in possession, Captain Haddock having disposed of some by sale and gift, to what parties is not yet discovered, and sent one or two home; others again were free negroes. Nevertheless, will endeavour to comply with his orders. Comte d'Estrées is in the vicinity with nine men-of-war besides "curvetts" and other tenders; he passed Nevis on 25th June, bound, it was supposed, to take St. Thomas from the Dane, an easy matter; but, as has since been ascertained, he did not touch there, but sailed for French Tortugas and Hispaniola, where the inhabitants are something refractory over an impost of 4 livres per cent. on sugar and tobacco. Thence he may go home, having victuals only to last to the end of October. This is all the intelligence that can be gathered, but their design may be quite different—more probably to fetch up men, as they did 1,500 buccaneers last year, for they expect six more men-of-war and two great fly-boats with provisions and soldiers, and plague the planters of the Leeward Islands with watching and trenching. These precautions are necessary from fear of a French attack after the hurricane season, for the French Admiral and General both (according to report) have power to make war at pleasure. If D'Estrées goes home, another squadron may be expected to relieve the present, for since the last 12 years the French King has sent out a fleet once or twice a year, to the great

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encouragement of his own Colonies and the discouragement of the English. Has received the King's commands respecting the enforcement of the Acts of Trade, but protests before God that he knows of no violator thereof in late years who has not been prosecuted. Bonds are taken according to law from all that have not certificates from the ports of England, and the certificates are compared with the seals sent out. All Deputy Governors, Marshals, Secretaries, and Customers, are sworn to respect the Acts of Trade, as also Stapleton himself. Their Lordships kind admonishment of the penalties he might incur by wilful neglect of the Act are too fresh in his mind to allow him to fail in his duty in respect of the Acts; 5,000*l.* fine and incapacity to serve his sovereign would make a great hole in his estate, and he would rather resign than have the least complaint of him made with any colour of justice. Repeats that there is pressing need of a frigate in the Leeward Islands, in time of peace and of a squadron in time of war, otherwise cannot well answer for any island, except where he may happen to be in person, if attacked or invaded; though the whole blame will be laid on him by those who do not consider the distances, nine or ten miles greater than that between England and France, which divide the different parts of the Government. Were it as compact as Jamaica and Barbadoes would not care how soon he were attacked by the French if they decline the Articles of peace. 3½ *pp.* Recd. 20 Sept. 1679. Read 1 Oct. 1679. [*Col. Papers, Vol. XLIII., No.* 91, *and Col. Entry Bk., Vol. XLVI., p.* 364.]

July 16. **1064.** *Mem.*—That a duplicate to the King's letter of 31st May (*ante No.* 1011) was signed at Hampton Court, July 10th, with the postscript that the King had received Lord Carlisle's letter by Sir Francis Watson on the 9th July, but had had no time to discourse yet with him. The duplicate was despatched to Jamaica on the 16th July by Captain Tyte, of H.M.S. Success. [*Col. Entry Bk., Vol. XCV., p.* 299.]

July 16. Whitehall. **1065.** Journal of Lords of Trade and Plantations. Read, the project of a Treaty of Neutrality with the French in the West Indies. Ordered, certain alterations in the 5th, 6th, 7th, and 8th Articles.

The business of the Bermuda Company. The Patent first read, and then both Company and complainants called in. The answer of the Company to the Articles of Complaint was read; but the complainants stating that they were not ready to come to a final hearing, and the Company desiring that the occasion of their particular complaints might be specified, and that the names subscribed to the petition might be given them, it was ordered that a copy of the Company's answer be furnished to complainants, and of the particular complaints to the Company, and both parties be ready on Wednesday next. [*Col. Entry Bk., Vol. CVI., pp.* 63, 64.]

July 18. **1066.** Journal of Lords of Trade and Plantations. Read, the project of the treaty with the French in the West Indies. Ordered,

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that Mr. Secretary Coventry move the French Ambassador to appoint a time for treating the same with the Commissioners nominated by His Majesty. [*Col. Entry Bk., Vol. CVI., p.* 66.]

July 19. **1067.** Copy of Warrant issued by Governor John Cranston for the arrest of Richard Smith, merchant, inhabitant of the Narragansett. *Certified* by John Easton, Constable of the town of Newport, to whom the warrant is addressed. [*Col. Papers, Vol. XLIII., No.* 92.]

July 21. **1068.** Certificate of John Greene, of the Narragansett country, a Conservator of the Peace. Declares on oath that 40 years and more ago Mr. Richard Smith, whom he then lived with, did first begin and make a settlement in the Narragansett country by the consent of the Indians, and did improve land, now meadows, several years before Warwick was settled by any Englishman, and that he saw and heard all the Narragansett princes assembled together give by "livrey and sesing" some hundreds of acres, about a mile in length and so down to the sea, about 30 years ago; and that in all the time of their late troubles the inhabitants of the King's Province had no relief from Rhode Island, although they often complained of the injuries done by the heathen, which made them apply to the Massachusetts; nor had they any relief in the time of the late war to keep any one place or house in the King's Province. *Signed. Endorsed*, Recd. from Mr. Sawyer 3 March $16\frac{79}{80}$. 1 *p.* [*Col. Papers, Vol. XLIII., No.* 93.]

July 21. **1069.** Deposition of Roger Williams touching the Narragansett countries.

"Providence, 21 July 1679 (*ut vulgo*).

"I Roger Williams of Providence, in the Nahigonsett [Narragansett] Bay in New England, being (by God's mercy) the first beginner of the mother town of Providence and of the Colony of Rhode Island and Providence Plantations, being now near to fourscore years of age yet (by God's mercy) of sound understanding and memory, do humbly and faithfully declare that Mr. Richard Smith, senr., deceased, who for his conscience towards God, left a fair possession in Gloucestershire and adventured with his relations and estate to New England and was a most acceptable and prime leading man in Taunton in Plymouth Colony—for his conscience sake (many differences arising) he left Taunton and came to the Nahigonsik country, where (by the mercy of God and) the favour of the Nahigonsik Sachems he broke the ice (at his great charges and hazards) and put up in the thickest of the barbarians the first English house among them. (2) I humbly testify that about forty-two years from this date he kept possession (coming and going) himself, children, and servants, and he had quiet possession of his housing, land, and meadow, and there in his own house, with much serenity of soul and comfort, he ejected up his spirit to God (the father of spirits) in peace. (3) I do humbly and faithfully testify (as aforesaid) that since his departure his honoured son, Capt. Richard Smith, has kept possession (with much acceptation

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with English and pagans) of his father's housing, lands, and meadows, with great improvement also by his great cost and industry, and in the late bloody pagan war I knowingly testify that it pleased the Most High to make use of himself in person, his housing, goods, corn, provision, and cattle for a garrison and supply to the whole army of New England under the command of the ever to be honoured General Winslow, for the service of His Majesty's honour and country in New England. (4) I do also humbly declare that the aforesaid Capt. Richard Smith, junr., ought by all the rules of justice, equity, and gratitude (to his honoured father and himself) to be fairly treated with, considered, recruited, honoured, and by His Majesty's authority confirmed and established in a peaceful possession of his father's and his own possessions in the pagan wilderness and Nahigonsik country.

"The premises I humbly testify as leaving this country and this world.

"ROGER WILLIAMS."

Holograph by the said Roger Williams in a perfectly firm, legible hand, attested as follows :—"Taken upon oath this 21 day of July 1679 before me, John Whipple, of this His Maj. Colony of Rhode Island and Providence Plantations in New England in America." *The whole* 1½ *pp.* [*Col. Papers, Vol. XLIII., No.* 94.]

July 21. Nevis. **1070.** Warrant of Governor Stapleton, Captain General and Chief Governor in and over His Majesty's Caribbee Islands in America and Vice-Admiral to the Duke of York. Complaint having been made by Henry Carpenter, Agent to the Royal African Company, that several negroes have lately been imported into this Island, contrary to His Majesty's charter to that Company, in the sloop Richard Thomas, George Standley master, belonging to Richard Cary and Thomas Belchamber, merchants of St. Christopher's; this warrant authorises Cæsar Rodeney, Marshal of the Island, to seize the said sloop and secure her under the guns of one of His Majesty's forts until legal trial be held. *Copy.* Certified by Cæsar Rodeney. [*Col. Papers, Vol. XLIII., No.* 95.]

July 22. New York. **1071.** Certificate by Abraham Corbett, Clerk of the Court of Record, of the grant of an appeal to John Palmer in the case of John Ward against John Palmer. *Endorsed*, Read 4 March 1679–80. [*Col. Papers, Vol. XLIII., No.* 96.]

July 23. Whitehall. **1072.** Journal of Lords of Trade and Plantations. The complainants against the Bermuda Company excused themselves for not being ready to make good their accusations, as their Counsel had disappointed them. Their Lordships, believing this to be a bare pretence, tell them they are not to expect further hearing unless they pay 5*l.* to the Company for the expenses of their Counsel. [*Col. Entry Bk., Vol. CVI., p.* 67.]

July 24. **1073.** Abstract of the King's letter to the Governor and Company of Massachusetts. (*See ante, No.* 1028.) 1 *p.* [*Col. Papers, Vol. XLIII., No.* 97.]

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July 24.
Hampton Court.

1074. Order of the King in Council approving Report of Lords of Trade and Plantations of the 4th instant (*see ante, No.* 1,050), and draft of letter to Sir Jonathan Atkins which Secretary Coventry is directed to present to His Majesty for his signature.

Trusty and Well beloved We greet you well. We little imagined after our letter to you of 9th December 1676 (*see No.* 1179 *in previous Volume of Calendar*) (wherein with great tenderness towards you and with so much sense of the inducements leading us to employ you in that trust We gave you rather caution than reprehension for some proceedings of yours derogatory to our service) that we should yet receive fresh information from our Committee of Trade and Plantations that you have still continued under the neglect of transmitting the laws of that our Colony by the first opportunity after the enacting of them, according to your instructions and the reiterated letters of our said Committee, which hath been of very great prejudice to our service. Nor have the excuses and evasions by which you endeavour to justify yourself (as will more particularly appear by a letter from said Committee) had any other effect with us than to increase the offence We have justly taken thereat. And to the end you may now receive all our resentments together We cannot but further take notice of your non-observance of several parts of our Commission and Instructions, whereby you are directed to give yearly accounts of divers matters to the Committee, and your evading the answering the inquiries at several times directed by them concerning the state of that Government. And the inconveniences that have arisen to our service thereby will sufficiently appear unto you by another despatch from us in the single instance of the laws passed by you concerning our duty of the 4½ per cent., to which we refer you and for the future charge and require you not to intermeddle with our revenue so that any part of it may be thereby lessened or interrupted, without first receiving our special commands.

And that the intention of the power we have entrusted in you may be rightly pursued and many mischiefs prevented which may otherwise happen, Our will and pleasure is that for the future all laws may be made indefinite and without limitation of time so that the continuance of them may be for two years pursuant to our Commission, except the same be for a temporary end which before that time shall expire and have its full effect And therefore you shall not re-enact any law which shall henceforth be enacted by you, except upon very urgent occasions, but in no case more than once without our express consent, for which purpose We expect that you transmit all laws unto us within three months after they are enacted or sooner if occasion offer. In all which abovementioned particulars if you give not due compliance for the future We shall not only interpret it a supine neglect or weariness of the trust reposed in you but an avowed disobedience to our commands, and shall thereupon find ourselves obliged to provide in such other manner for our Government as may better answer all the parts of our service and the tender care We will ever take of the welfare of our good subjects. But hoping you will hereafter redeem yourself in our good opinion We further you to our said Committee for further information and direction in all the said particulars and any other that shall at any time occur.

And whereas We are given to understand by your letters that by the death and absence of many of our Councillors in that our Island you cannot without great difficulty get a sufficient number of them to attend our service We are therefore well pleased that the number of five of our Councillors be henceforth sufficient to make a quorum until further order. And so We bid you farewell. From our Court at Hampton Court this 24th day of July in the 31st year of our reign.

By His Majesty's command,

H[ENRY] C[OVENTRY].

[*Col. Entry Bk., Vol. VI., pp.* 274–277.]

1679.
July 24. Hampton Court.

1075. Order of the King in Council. Referring a book of laws of Barbadoes from 1660 to 1672 to Mr. Serjeant Baldwin, one of His Majesty's Council, to examine and report whether they be agreeable to His Majesty's authority in that island and the good of His Majesty's subjects there. [*Col. Entry Bk., Vol. VI., p.* 286.]

July 25. Whitehall.

1076. Memorandum of the Committee of Trade and Plantations. The French Ambassador met the Commissioners for the Treaty of Neutrality in the West Indies in the Council Chamber, and, on receiving a copy of the project of the treaty, declared that he had no power to proceed thereon, but would send it to the French Court by first opportunity. [*Col. Entry Bk., Vol. CVI., p.* 67.]

July 25. Whitehall.

1077. Order in Council, on a complaint made to this Board from Virginia that several arrears are due to His Majesty's forces in that Colony, and particularly to Major Mutlow's company, directing that Lemuel Kingdon give an account of this matter to the Lords of Trade and Plantations. 1 *p.* [*Col. Entry Bk., Vol. LXXX., p.* 358, *and Col. Papers, Vol. XLIII., No.* 98.]

July 25. Whitehall.

1078. Order of the Privy Council referring to the Committee of Plantations a letter from Sir Henry Chicheley and the Speaker of the Assembly of Virginia to the King, together with a letter from Sir Henry Chicheley to Secretary Coventry (*see ante, Nos.* 994, 995). [*Col. Entry Bk., Vol. LXXX., p.* 362.]

July 26. Whitehall.

1079. Lords of Trade and Plantations to Sir Jonathan Atkins. Have received His Majesty's especial directions to take notice unto you of the several omissions which upon view of his letters have occurred to their Lordships in relation to his Government (of Barbadoes). In the first place must observe the prejudice arising to His Majesty's service for want of a regular and speedy transmission of all laws in force within his Government. "But that which we cannot pass in silence is that although these difficulties arise from yourself yet you cease not to impute the blame and evil consequences unto us; and even without respect to the power given you in your Commission you forbear not to intimate that, if by more necessary occasions we should think fit to lay those laws aside (which were never yet regularly before us), or that you have no advice of His Majesty's resolutions, you are in danger of being without laws, to the disturbance of the Government and provocation of a most stubborn people that have the arms in their own hands, although with all obedience unto His Majesty. These indeed are inducements, if you reflect upon your own omissions, which alone might have moved you to a punctual observance of your duty." Their Lordships point out how contrary his assertion is to the fact, that never any laws had been sent home by preceding Governors; yet because they are equally sensible with himself of the great prejudice to the country by the wanting of lasting and conclusive laws, have advised His Majesty to give him such powers as cannot fail to cure the evil so justly apprehended by him. This is the more necessary, as their Lordships show by the Act for settling the Militia, which

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" is left so loose as to have been three times re-enacted since 13th December 1677," and by other laws in like manner limited to very short terms without any just reason. As to his answer that he had no precedent for sending the laws under the seal of the Island, remind him that he sent two in the private cases of Plumley and Middleton authenticated with that seal. " But we are most surprised, after you have assured us in your letter of 17th April last that you had sent all the laws in force," that His Majesty was presented with copy of a law touching the 4½ per cent. which contains very great irregularities. [*Their Lordships' observations and consultations with the chief merchants of Barbadoes and censure of Governor Atkins' conduct in reference to this Act, and other Acts not transmitted by him, are calendared in the Abstract of their Journal of 26th and 27th June and 4th July (see ante, Nos.* 1034, 1036, 1048)]. Will now proceed to mark out the other parts of his duty wherein his compliance is wanting, notwithstanding their most pressing and continual desires in that behalf; and first will show other particulars of his instructions upon which they have not yet received any satisfaction, viz. the establishment of jurisdictions, courts, and officers, a yearly inventory of arms and ammunition, of the number of inhabitants, planters, masters, servants, and slaves, and how many are able to bear arms, account of entry of goods throughout the Island, of the duties payable upon imports and exports, and of the public revenue, of the number of negroes supplied to the Island, and at what rates. Add what their Lordships have already demanded without effect, viz. description and map of the country which he promised to send in 1675, the stores and provisions of war, the yearly value of exports and imports, accounts of christenings, burials, and marriages, number of ships trading to the Island, and what rates and duties are payable on goods exported and how same are applied. Their Lordships command he should acquaint them with all material things and Acts of Council to guide their knowledge and direct themselves in the performance of the trust reposed in them. Have already explained what they mean by a Journal, so doubt not he will observe their directions, " although you seem to suggest (we cannot tell with what reason) that there are many things incident to the Island which ought to be kept secret by you because you are accountable to His Majesty for your duty with the utmost peril of your life, as if those privacies you mention could receive any prejudice from us, to whom His Majesty has been pleased to commit the care and inspection of all things relating to his foreign plantations. But not doubting for the future of your ready compliance in all the above-mentioned particulars, we bid you heartily farewell." *Signed by* Shaftesbury Pr., Anglesey C. P. S., J. Bridgewater, Bathe, and J. Ernle. [*Col. Entry Bk., Vol. VI., pp.* 277–286.]

July 29. **1080.** Petition of 42 inhabitants of the Narragansett country to the King. Describes the settlement of Richard Smith, the father of one of the petitioners in the Narragansett country 42 years

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back; the foundation of Rhode Island from Massachusetts under Mr. W. Codinton; the settlement at Warwick of Mr. Gorton and Holden, and of Mr. Roger Williams at Providence; the further settlement of the Narragansett country, at Richard Smith's invitation, from Massachusetts, Connecticut, and Plymouth; the purchase of the island of Quononaquat by a company of Rhode Island and Boston joined together, and of another tract of land to the south for the digging of black lead; the disputes as to government of the Narragansett country, which was granted both to Connecticut and to Rhode Island; the submission of some of the colonists to Connecticut by articles made in England by Lord Brewerton, Captain Deane, Major Thompson, Doctor Worsley, and Captain Brookhaven; the settlement of the country as the King's Province by the Commissioners in 1664, who granted orders for settling a part of it to Mr. Brown, Captain Willit and others; the aggression of Rhode Island in violation of the Commissioners' orders; the abandonment of the country by Rhode Island and its desolation during the Indian war; the distress of the inhabitants; their flight to Rhode Island and return. Prays the King to put an end to the differences about the government which have been so fatal to the prosperity of the place. *Endorsed,* "Recd. from Mr. Sawyer, 3 March $16\frac{7}{8}\frac{9}{0}$." 2 *pp.* [*Col. Papers, Vol. XLIII., No.* 99.]

July 30. Whitehall. **1081.** Journal of the Lords of Trade and Plantations. The complainants against the Bermuda Company attended, having paid the Company five pounds as they were bid. On the first article of complaint, after hearing both sides, their Lordships agreed that the Company has no right to sit as a Court of First Instance, and that the practice is illegal.

Four letters to the governors of the New England Colonies signed, requiring them to give account of their governments under certain enclosed heads of enquiry. New Plymouth to send a copy of its patent. Mr. Randolph being ready to leave for New England is directed to observe his former instructions so far as they suit with the present constitution of affairs there. [*Col. Entry Bk., Vol. CVI., pp.* 68–70.]

Aug. 1. Rhode Island. **1082.** Governor Cranston to the King. We received your Majesty's letter of 12th February $167\frac{8}{9}$ (*ante, No.* 890) by Captain Randall Holden and Captain Greene, also the letters to the Massachusetts, Plymouth, and Connecticut, which have been delivered to the several Governments. The late war with the Indians began in June 1675 between the Sachem Philip and New Plymouth, and was prosecuted by the three united colonies (as they term themselves). Afterward several other nations of the Indians joined in the war, but this colony was not concerned in the war, except as necessity required, for the defence of our lives and what we could of our estates, and as countrymen and fellow subjects to assist and relieve our neighbours, so that we cannot at present render a full account of those affairs. We will say only that Sachem Philip was slain by an Indian belonging to Rhode Island under the command

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of a captain who was with a company of volunteers with the Plymouth forces. We humbly beg pardon for our remissness in not giving an account sooner. The contents of Mounthope are about 7,000 acres, a plot whereof we have caused to be taken and herewith present; the soil for the most part fertile, the value esteemed to be 3,000*l.*, as now it is, being uncultivated; it lies on the east of the Narragansett Bay and the greater part of it we conceive comes within our limits, but it was granted by the Commissioners to Plymouth. We beg your Majesty's protection against the confederate Colonies who endeavour to insult over us and forbid us the exercise of government in the King's province, as settled by the Commissioners; and pray that the privileges and liberties of the free and clear enjoyment of the possession of those lands may be granted to us, many of the youth of our Colony having been constrained for want of lands to remove themselves, to the great impoverishing of the Colony, and that such as want lands there may be supplied out of the vacant lands in the King's Province before any others. We return praises to God for your Majesty's wonderful preservation from that late hellish conspiracy against your life and the subversion of the Christian religion. Signed by order of the General Assembly, John Cranston. *Endorsed*, Recd. from Mr. Colston 23 Dec. 1679 by Mr. Blathwayt and deld. unto Mr. Secy. Coventry from whom it was again received this 2nd Jan. $16\frac{78}{80}$. Read 2nd March $16\frac{79}{80}$. 3 *pp.* [*Col. Papers, Vol. XLIII., No.* 100; *and Col. Entry Bk., Vol. LXI., pp.* 23–27.]

Aug. 4. Westminster. **1083.** The Dutch Ambassador Van Leyden de Leeuen to the King. Further representations respecting the behaviour of Captain Hampton in seizing the person and ship of John Rodes (*see ante*, No. 986) in the Dutch possessions in Acadia. The representation of Sieur Van Benningen having remained unanswered, the Ambassador presses for a fair and just end to be put to the matter. *Translation.* [*Col. Papers, Vol. XLIII., No.* 101.]

Aug. 6. Windsor. **1084.** Petition of Sir Philip Howard to the King. Prays for His Majesty's interest in the forfeiture of the ship Robert and Richard of Barbadoes and her goods, lately arrived in London, seized as a foreign built ship not made free. With reference to the Lords of the Treasury to report what His Majesty may fitly do for petitioner's gratification. ½ *p.* [*Dom. Entry Bk., Chas. II., Vol. LV., p.* 36.]

Aug. 6. Whitehall. **1085.** Order of the Privy Council. That an Act of Assembly begun at James City 25th April last, entitled An Act enabling Major Lawrence Smith and Captain William Bird to seat certain lands at the head of Rappahannock River and James River be forthwith suspended until His Majesty's further pleasure be signified, and that no Assembly be called in Virginia before 1st January next, of all which Secretary Coventry is to give intimation to Sir Henry Chicheley, Deputy Governor of that Colony. Also to signify that His Majesty has received the address

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concerning the pay of the soldiers (*ante, No.* 994) there, and the arrears of quit-rents. [*Col. Entry Bk., Vol. LXXX., p.* 359.]

Aug. 6. Whitehall. **1086.** Order of the Privy Council on letter from Sir Henry Chicheley of 20th May last, and address of the Assembly of Virginia enclosed (*ante, No.* 994), that a letter be prepared for the King's signature to Lord Culpeper, to acquaint the Assembly on his arrival that His Majesty, before the receipt of their address, had taken care for payment of the arrears due to the soldiers and for the continuance of the same for the future; and that as to the quit-rents His Majesty had long had that matter under consideration, and will shortly give orders therein for his own service and the ease of the people. Also that he has sent some laws to them to which he expects a cheerful and ready compliance, assuring them of his particular care and kindness for his Colony. That an instruction to Lord Culpeper be prepared, to forbear the publication of his additional Commission for six months after his arrival if he think fit. [*Col. Entry Bk., Vol. LXXX., pp.* 363, 364.]

Aug. 7. **1087.** Pass for Edward Randolph to go to New England as Collector, &c., of Customs. 1 *p.* [*Dom. Entry Bk., Vol. LI., p.* 284.]

Aug. 9. Whitehall. **1088.** Secretary Coventry to Sir Henry Chicheley, Deputy Governor of Virginia. Has received his letter of 20th May last, wherein he enlarges upon the matter of the Address from himself and the Assembly concerning the pay of the soldiers there and the arrears of the quit-rents, to which His Majesty has ordered his answer. Will endeavour to deserve his good opinion by showing his hearty inclinations for the welfare of Virginia, and also to his own particular. [*Col. Entry Bk., Vol. XCV., p.* 307.]

Aug. 9. Surinam. **1089.** Muster roll of Lieutenant-Colonel Scot's company in Colonel Thomas Fuller's regiment:—1 lieutenant-colonel and captain, 1 lieutenant, 1 ensign, 2 sergeants, 3 corporals, 1 drummer, 67 privates, "the gentleman at arms included." "Mustered at Lacovia, 9th August 1679." [*Col. Papers, Vol. XLIII., No.* 102.]

Aug. 9. **1090.** Muster roll of Captain John Gale's company:—Captain, lieutenant, ensign, 2 sergeants, "an esquire—a clerk," 3 corporals, 1 drummer, 30 privates. "Taken at the Burnt Savanna, 9th August." (The captain cannot sign his name, but attests the muster by his mark.) [*Col. Papers, Vol. XLIII., No.* 103.]

Aug. 9. Whitehall. **1091.** Secretary Coventry to Sir Henry Chicheley, Deputy Governor of Virginia. Is commanded by the King to signify to him that an Act enabling Major Lawrence Smith and Captain William Bird to seal certain lands at the head of Rappahanock River and James River be forthwith suspended, so that no proceedings may be had thereupon until His Majesty shall signify his further pleasure. That no Assembly be called or held in Virginia before 1st January next, and that, having been received an Address

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concerning the pay of the soldiers there and the arrears of quit-rents, such order will be taken therein upon the arrival of Lord Culpeper as shall be for the good of His Majesty's subjects there. [*Col. Entry Bk., Vol. XCV., p.* 307.]

Aug. 10. St. John's, Newfoundland. **1092.** Extract of letter from Captain Lawrence Wright, H.M.S. Reserve. Has already sent some copies of the Orders in Council touching the commanders of the merchant ships keeping close to their convoys, to some of the fishing ports distant from St. John's, and will send more. ½ *p.* [*Col. Papers, Vol. XLIII., No.* 104.]

Aug. 12. **1093.** Muster roll of Major Vassall's company in Colonel Thomas Fuller's regiment:—1 major and captain, 1 lieutenant, 1 ensign, 3 sergeants, 2 corporals, 2 drums, 60 privates, "mustered at Surinam." [*Col. Papers, Vol. XLIII., No.* 105.]

Aug. 13. St Jago de la Vega. **1094.** Governor Lord Carlisle to Secretary Coventry. On the 8th instant acquainted the Council with the King's Order of 29th March, and the Committee's Order of same date (*ante, No.* 950), prohibiting further cutting of logwood, inviting all privateers home by offering them a double proportion of land if they would plant, and continuing Lord Vaughan's laws that expire in September next. Has prolonged martial law from the 10th instant to the Assembly's meeting on the 19th, to ensure completion of the new battery at the Point; and ordered for the benefit of the planters, who have met this year with many disappointments, that the Supreme Court be put off to November. No letters from Coventry since 4th April. As soon as H.M.S. Hunter returns from her cruise round the coast in search of privateers, proposes to send her to Carthagena, where several masters of sloops belonging to Port Royal are said to be detained as prisoners, which much exasperates the people's heart against the Spaniard. The Spaniards seize our ships for cacao as well as logwood. 2 *pp.* [*Col. Entry Bk., Vol. XXIX., p.* 324.]

Aug. 19. St. Jago de la Vega. **1095.** Journal of the Assembly of Jamaica. Assembly summoned to the Council Chamber, and having taken oaths of supremacy and allegiance chose William Beeston their speaker, Charles Boucher, clerk, and George Redworth, messenger.

Members of the Assembly,—

Robert Whitefield Edward Stanton	St. Thomas.
Thomas Ryves Eleazar Wignall	St. David's.
Samuel Barry William Parker	St. Andrew's.
William Beeston Samuel Bach Reginald Wilson	Port Royal.
John Burdon Samuel Bernard Edmund Duck	St. Katharine's.

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Members of the Assembly—*continued.*

John Colebeck Theodore Cary	St. Dorothy's.
Thomas Ayscough Francis Price	St. John's.
Robert Alewyt Fulke Rose	St. Thomas in the Vale.
Peter Beckford Jonathan Ashurst	Clarendon.
George Fawcett Andrew Knight	Vere.
John Borrow Thomas Raby	St. Elizabeth's.
Richard Guy Augustine Gavell	St. James'.
John Gauden Benjamin Smith	St. Anne's.
John Bathurst John Fountain	St. Mary's.
Andrew Orgill Edward Broughton	St. George's.

[*Col. Entry Bk., Vol. XXXVII., pp.* 215, 216.]

Aug. 20. **1096.** Heads of Lord Carlisle's speech to the Legislature of Jamaica. He had hoped to do more for them, but for the delay of advices from England; so far he had only received a letter saying that the Committee of Plantations was still of opinion that the model of Ireland was best for Jamaica, and was preparing reasons to convince the Assembly. The Governor proposed that the Act of Revenue should be continued for 18 months, for he had sent Sir Francis Watson to England to negotiate the ancient system of making laws, and intended if Sir Francis failed, to go himself next March, so that there would be no occasion for an Assembly in his absence. He also recommended the building of a fort. [*Col. Entry Bk., Vol. XXXVII., p.* 216.]

Aug. 21. St. Jago de la Vega. **1097.** Journal of Assembly of Jamaica. The whole House waited on his Excellency by its own request to hear what he could tell them of an alarm of the French fleet; whereof he knew nothing excepting from a letter written to Sir Thomas Modyford that the French designed to attack Jamaica, but he believed it to be probable and thought the Island not safe. A committee appointed to examine the accounts of Mr. Martin (Receiver General). Debate on the Act of Revenue. Voted that it be continued for six months from the 1st September, that the House appoint a collector, and that an account of the money be rendered to the House when demanded.

Forty-five barrels of powder to be brought and distributed to the Captains of horse and foot. [*Col. Entry Bk., Vol. XXXVII., pp.* 215–218.]

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Aug. 22. **1098.** Extract from the Journals of the Assembly of Jamaica. The Committee appointed to examine Mr. Martin's accounts, reported that Mr. Martin appearing before them said Lord Carlisle had ordered him to tell them, both from the King and himself, that he was not obliged to shew his accounts to the Assembly, and that he had given the accounts to his Excellency, who had told him that if any of the Assembly desired to see them they would see them there. The House considering the return of the Committee resumed the debate and thereupon did vote, that notwithstanding my Lord's (Carlisle) answer by Mr. Martin to that Committee it was and is their undoubted and inherent right, that as all bills for money ought and do arise in their House, so they ought to appoint the disposal of it, and to receive and examine all the accounts concerning the same. Recd. from Mr. Secretary Coventry, 11 Dec. 1679. Read 20 Dec. 1679. *Certified true copy.* [*Col. Papers, Vol. XLIII., No.* 106, *and Col. Entry Bk., Vol. XXIX., p.* 341.]

Aug. 22. St. Jago de la Vega. **1099.** Journal of Assembly of Jamaica. The Committee appointed to inspect Mr. Martin's accounts reported that he had received the Speaker's warrant to appear before them with his books and papers, but that he had been with the Governor, who had ordered him to tell the Committee, both from the King and from his Excellency, that he was not obliged to show his accounts to the Assembly. He had given the said accounts to the Governor, who had told him that if any of the Assembly desired to see them they might see them there.

An Order of the Council desiring the Assembly to appoint a committee to join with its own committee to consider what fortification was necessary for the Island. Committee of nine appointed. [*Col. Entry Bk., Vol. XXXVII., pp.* 215–218.]

Aug. 22. St. Jago de la Vega. **1100.** Order of Council of Jamaica. Present, the Earl of Carlisle and nine members. Mr. Speaker moving his Excellency in Council, by desire of the Assembly, to adjourn the next November Grand Court on behalf of the Planters in general of this Island, owing to the great suffering under the long and present drought, which will not permit them to work before March next: After debate unanimously agreed, That all the Courts in the Island be put off until the last Tuesday in February next, excepting the Court of Port Royal, and that no process be granted there but in a certain specified case. *Signed,* Rowland Powell, Cl. Council. [*Col. Papers, Vol. XLIII., No.* 107.]

Aug. 23. **1101.** Report of Committees of Council and Assembly for defence of Jamaica to Governor Lord Carlisle. Seven specific recommendations, for strengthening the breastwork, arming the new works, providing four fire-ships. *Signed,* Hen. Morgan, Tho. Freeman, Charles Whitfeld, Sam. Long, Hender Molesworth, John Colbeck, Raphe Whitfeld, Sam. Barry, Sam. Bach, Thomas Ryves, Pe. Beckford, Reginald Wilson, Edward Broughton, The. Cary. *Certified true copy.* Recd. 11 Dec. 1679. [*Col. Papers, Vol. XLIII., No.* 108.]

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Aug. 25. Boston.

1102. The Commissioners of the United Colonies to the Earl of Sunderland, in answer to the King's letter of 12th February 167$\frac{8}{9}$ about Mounthope and the Narragansett country. "Emit" the causes and the printed narrative of the war, which, though by a private hand, truly sets forth the same; have ground to conclude, without breach of the rules of charity, that those malicious designers, the Jesuits, have had their influence in the contrivement of the war, as they are credibly informed both by Indians and English. The lands of Mounthope, though possessed by Philip and his Indians, are not so properly to be called conquered lands, but such whose Indian claim and title thereto are forfeited into the hands of the English by breach of covenant, for these reasons:— (1) That the lands are indubitably within the limits of New Plymouth as contained in their charter, and within the bounds of an English town in that Colony planted by them near 40 years since, called Seacouck and Swansea; (2) Philip and his Indians were orderly subjected to the government there settled; (3) The necessity and justice of the war for the preservation of the lives and estates of the King's subjects there settled will appear from the printed narrative. The contents of Mounthope have been estimated at 7,000 acres, but on survey appear to be of less quantity, and for value its advance is the more considerable, because of its situation near the sea, and so may be some accommodation to that Colony for a place of trade, otherwise the improvement and benefit would be very inconsiderable and an "invaluable" sum towards New Plymouth's part of disbursement, which in the whole has been more than 100,000*l.* As for the proposal made on behalf of William Crown, neither his former losses, which were rather imaginary than real, nor his present demeanour seem such as should highly deserve of His Majesty, he being rather a burden and disservice than otherwise, and particularly to one of their plantations settled before the war. As for the Narragansett lands, they are included in the Charter granted to Connecticut, and so regularly under its government, and before the war peaceably settled in several parts in right of purchase from the Indians. They were likely to have been a flourishing plantation, but since the war those parts are disturbed by those who do intrude themselves upon them by alleged countenance of Rhode Island, and are an ungoverned people, utterly incapable to advance His Majesty's interest or their neighbours' peace and happiness. As for the acts of His Majesty's Commissioners in 1664, hope that none of their conclusions were intended to contradict the charters granted them, especially considering Colonel Nicholls' absence, which by their commission invalidated their conclusions. Humbly propose that it will be most difficult for the claimers of right in that country to defend their interest in England, the whole estate of many of them not being sufficient to transport them over seas or supply the management of an easy defence at such a distance. The English of these Colonies, having by His Majesty's good leave under security of letters patent removed themselves into this remote wilderness near 50 years past,

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have confidence that their adversaries' malice, by their private insinuation and unjust reproaches, shall not now prevail to disturb them in their so orderly a settlement. Ask these brief intimations to be laid before the King; will refer a more full and particular answer to their General Courts. *Signed*, Thos. Danforth, Presidt., Joseph Dudley, John Allyn, Josiah Winslow, James Richards, Thos. Hinckley. *Endorsed*, Recd. from Mr. Bridgman, 14 Jan. $16\frac{7}{8}\frac{9}{0}$. Read 2 March $16\frac{7}{8}\frac{9}{0}$. 3 *pp.* [*Col. Papers, Vol. XLIII., No.* 109, *and Col. Entry Bk., Vol. LXI., pp.* 30–34.]

Aug. 25. St. Jago de la Vega. **1103.** Journal of Assembly of Jamaica. Bill of Revenue read first time. Report of the Committee of Fortification, with seven recommendations, brought up, and the scheme voted.

Debate on the Report of the Committee of Accounts; voted *nemine contradicente* that notwithstanding his Excellency's answer by Mr. Martin, it is and was the undoubted inherent right of the Assembly, that as all bills for money ought to arise in that House, so they ought to appoint the disposal of it, and receive and examine all the accounts concerning the same.

Aug. 26. Bill of Revenue read a second time. Message to the Governor requesting him, now that all the field officers are in town, to call a council of war, to which his Excellency consented. The Bill of Revenue read a third time and carried to the Governor, who returned it to the House with a request that a clause for the continuation of the Act of Fees might be expunged. It was voted after debate that the clause be put in and that the House adhere to their Bill; which being told to his Excellency he said he was sorry for it, and would consider the matter till to-morrow morning.

The new orders from the King as to the making of the laws communicated to the House at its own request by his Excellency. [*Col. Entry Bk., Vol. XXXVII., pp.* 218–220.]

Aug. 28. St. Jago de la Vega. **1104.** Journal of Assembly of Jamaica. Address to the Governor, informing him that the House judged the new orders from the King in Council to deserve the weightiest consideration, for which the present apprehensions of danger from the French gave insufficient time, and therefore begged either for prorogation or for leave to adjourn for two months or other suitable period. For this purpose the House would renew the Revenue Bill for four or six months, as his Excellency might judge best. His Excellency, after taking advice of his Council, informed the House that he accepted their address, and desired them to despatch the passing of the Bill of Impost for six months, after which he would prorogue them according to their wish.

Voted that the following message be sent to his Excellency: That the Militia Bill is plain and needs not any construction, and that the House sees no need of a fund till there be an expense.

Aug. 29. The House prorogued until the 28th October next. [*Col. Entry Bk., Vol. XXXVIII., p.* 22.]

Aug. 28. Jamaica. **1105.** Address of the General Assembly of Jamaica to Governor Lord Carlisle. The General Assembly, having entered into some

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discourse about the orders communicated to them yesterday by your Lordship from His Majesty, think they require great consideration, and finding the present juncture of time insufficient to debate so great a business, being under apprehension of danger from the French fleet, beg either to be prorogued or to be permitted to adjourn for two months or such time as the Governor shall think fit, and meanwhile are ready to renew the existing Revenue Bill for four or six months according to the Governor's choice. *Certified true copy. Inscribed,* "Recd. in a letter from the Earl of Carlisle, dated 15 Sept., 1679. Read 11 Dec. 1679." [*Col. Papers, Vol. XLIII., No.* 110. *Duplicates.*]

Aug. 29. Whitehall. **1106.** Commission to Sir Henry Chicheley appointing him Captain of a company of foot raised and to be raised for His Majesty's service in Virginia consisting of one hundred men besides officers. [*Dom. Entry Bk., Chas. II., Vol. XXIX., p.* 324.]

Aug. 30. St. Jago de la Vega. **1107.** Governor Lord Carlisle to Secretary Coventry. The King's letter of 31st May, Order in Council of 28th May, with animadversions of the Council of 22nd May, and two letters from yourself, were received on 26th instant. I read them in Council next morning and the Order in Council and King's letter to the Assembly. I send you copy of their address (*ante, No.* 1105); and finding them nettled and warm, I thought it discretion to let them take time to digest their thoughts, so having passed the Revenue Bill prorogued them to the 28th October. The apprehension of the Island from the French fleet is very great, and hence the Assembly desired not only the putting off all the grand courts, as you will perceive by enclosed Order in Council (*see ante, No.* 1100), but that a council of war should be called and martial law constituted, for putting the Island into a posture of defence, which is now our present purpose and business. I returned late last night from viewing the several parts where it may be most proper to strengthen old works or erect new for the safety of Port Royal. I doubt not of our success, to the great contentment of the inhabitants here who are very angry with the Spaniards and not less jealous of the French. Pray send me copies of all treaties that I am likely to want, also of Colonel Doyley's instructions, and a commission under the Great Seal of England for the trial of pirates. [*Col. Papers, Vol. XLIII., No.* 111, *and Col. Entry Bk., Vol. XXIX, p.* 382.]

Aug. ? **1108.** A list of the sack ships in St. John's and the other ports of Newfoundland. *With a paper summarizing the same,* as follows:—Total of ships, 138; total of tons 200 to 40, 10,017; total of men, about 1 man to 5 tons, 1,595; total of guns, 569; total of quintals, from 4,000 to 500, 159,059; value at 12*s.* a quintal, 94,435*l.* 8*s.*; dead freight, 1,960 quintals. *The return is a large parchment sheet. Signed* Law. Wright. [*Col. Papers, Vol. XLIII., No.* 112.]

Sept. 4. **1109.** Account of the stores in His Majesty's magazine at Fort Charles, showing amount taken into store and expended from the

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1st January to 4th September 1679. It appears that all matchlock muskets were returned into store and snaphance muskets issued in their place in July. *Signed*, Cha. Morgan. *Endorsed*, "Recd. from the Commrs. of the Ordnance, 18 Dec. 1679." [*Col. Papers, Vol. XLIII., No.* 113.]

Sept. 9. Windsor. **1110.** Duke of Monmouth to Lord Culpeper or officer in chief commanding his company. He is forthwith to embark the company of foot under his command at Gravesend or other convenient place on board the vessels appointed to receive them in order to their transportation to Virginia, and to be careful that the quarters of said company be duly satisfied. [*Dom. Entry Bk., Chas. II., Vol. LVIII., p.* 53.]

Sept. 9. Windsor. **1111.** Duke of Monmouth to the Commissioners for executing the office of Master of the Ordnance. Desires they will order the usual proportion of ammunition to be furnished to Lord Culpeper's company of foot designed for Virginia, from 1st May last to end of December next, and that two barrels of powder extraordinary with ammunition in proportion be furnished to said company to carry along with them to sea for their defence in case of any rencontre. [*Dom. Entry Bk., Chas. II., Vol. LVIII., p.* 53.]

Sept. 10. Windsor. **1112.** The King to Thomas Lord Culpeper. At his earnest and reiterated instances, and in contemplation of the condition of affairs in Virginia, where his presence is highly necessary, His Majesty has condescended to his speedy repair thither, notwithstanding the great and urgent occasions the King has of his service here. He is hereby granted full power to repair back to the King's presence as soon as in his discretion the state of affairs in Virginia will in any sort permit his absence, as well in person to give an exact account of the same and continue his services to His Majesty here, as for some short time to take care of his own private concerns, which his constant attendance on the King has hitherto hindered him from sufficiently providing for. After which the King will give orders for his speedy return thither again to perfect the settlement and welfare of that colony. [*Col. Entry Bk., Vol. LXXX., pp.* 380, 381.]

Sept. 10. Barbadoes. **1113.** Governor Sir Jonathan Atkins to Lords of Trade and Plantations. The apprehensions of the French at present removed. The fortifications being finished, this Island is the strongest in these parts of the world; four-fifths of it are naturally fortified and inaccessible, the other part is well fortified, and has two hundred guns and everything necessary for defence, all at the country's charge, with ten thousand men. Is informed of the petition of the farmers of the 4½ per cent. to the King concerning an Act passed to their great prejudice, upon which he comments, but is well assured they have no reason to complain, for they have not been hurt nor can be by it. If they complain of a good bargain, for such they have got of the King, thinks they mistake the point.

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1 *p.* "Recd. 28 Nov. Read 4 Dec." [*Col. Papers, Vol. XLIII., No.* 114, *and Col. Entry Bk., Vol. VI., pp.* 291, 292.]

Sept. 13. **1114.** Muster roll of Captain John Barrow's Company in Colonel Thomas Fuller's Regiment:—1 captain, 1 lieutenant, 1 ensign, 2 sergeants, 1 drummer, 50 privates, "mustered at Cabberetta." 1 *p.* [*Col. Papers, Vol. XLIII., No.* 115.]

Sept. 15. **1115.** Muster roll of Captain James Davis's company in Colonel Thomas Fuller's regiment:—1 captain, 1 lieutenant, 1 ensign, 2 sergeants, 50 privates. (Taken at Surinam.) [*Col. Papers, Vol. XLIII., No.* 116.]

[Sept.] **1116.** Muster roll of Colonel Thomas Fuller's company in his own regiment: Richard Matthews captain-lieutenant, 1 ensign, 2 sergeants, 1 gentleman-at-arms, 36 privates. "The above-named soldiers are well armed and indifferently well furnished with powder and bullets." [*Col. Papers, Vol. XLIII., No.* 117.]

Sept. 15. St. Jago de la Vega. **1117.** Governor Lord Carlisle to the Lords of Trade and Plantations. Your letters of 25th March, 4th April, and 31st May (*see ante, Nos.* 961, 1012) were received on 26th August. Your orders and reports on the laws and Government of Jamaica I communicated to the Council on 27th August (the Assembly then sitting to continue the expiring Revenue Bill), and on the same day the Council being present I commended His Majesty's letter of 31st May and your Order and Report of same date to the Assembly, which came to me as seasonably as they received them surprisedly, making me the next morning the enclosed address (*see ante, No.* 1105). Upon this, having passed a Bill of Impost for six months, I prorogued them by advice of the Council until the 28th October next, hoping that in that time they would fall off of their heat, and upon recollection better bethink themselves of their duties and allegiance, and on my offering them again the laws, which I purpose to do on their first meeting, better demonstrate their obedience by consenting to them. But from what I can learn from their leaders I find the same averseness as formerly; they aver that they will submit to wear, but never consent to make, chains (as they term this frame of Government) for their posterities. I am surprised that your Lordships found the Bills so unagreeable to what you expected for His Majesty's approbation, considering the care that I took myself to correct them, having had them examined at the Council Board. But on enquiring from my Secretary I find that the Attorney-General, upon whom I chiefly leaned, with the Chief Justice, who assured me that in what I questioned they agreed with the laws I brought over, had the last examination thereof. The Attorney-General is dead within these three weeks, so that I can have no further satisfaction, but they were unhappily the occasion of these errors, which I did my best to avoid. I trust, therefore, that I may keep your good opinion and escape your censure. I regret to have incurred your displeasure for neglecting to answer thirty several

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enquiries, wherein I may seem to have been more negligent than I have been. Since my arrival I have had so many difficulties from the untowardness of a dissatisfied people and the danger from the French fleet, that I have had work enough to compose their fears and encourage them to keep up and repair their fortifications, as the enclosed copy of report from two Committees of both Chambers will attest (*see ante, No.* 1111). This I do for the security of Port Royal, though the revenue fell short of the expense by a thousand pounds last year, having been forced to continue martial law owing to the appearance of the French fleet before the harbour. Since my arrival I have not let a ship go for England without writing, but chiefly to Secretary Coventry, thinking that your Lordships will be overburdened with trouble from the plot. Of the thirty enquiries, some I have answered, the numbers of horse and foot and fighting men, and our present state with the French and the Spaniard to Secretary Coventry; details of exports and growth of the Island to the Commissioners of Customs every six months, and the magazine to the Master of the Ordnance. Other answers are a making ready.

In obedience to His Majesty's Orders of 29th March I issued a proclamation inviting all his subjects home from privateering, and prohibiting the cutting of logwood in Spanish territory. 3 *pp.* [*Col. Papers, Vol. XLIII., No.* 118, *and Col. Entry Bk., Vol. XXIX., p.* 327.]

Sept. 15. St. Jago de la Vega.

1118. Governor Lord Carlisle to Secretary Coventry. Have received your letters of 4th April and 22nd May (*ante, Nos.* 961, 1002), the latter, which brought with it one from the King, arriving most seasonably on the sitting of the Assembly for containing the Bill of Impost, which six days after would have expired. Since the 30th August I have been three days at the Point, and on Friday morning went with Sir Henry Morgan to Three Rivers, some twelve miles from the Point, and thence round the Cod of the Great Harbour to the Rock, where we observed the properest passes to secure both the Point and Liquania in case of attack by land. A hundred more negroes are to be added to the slaves of the Point to carry on the fortifications there. On Monday, 1st instant, Sir Thomas Modyford died; and his son Sir Thomas is not like to live long after him. Mr. Wright the Attorney-General died a few days earlier. Have appointed one Roger Elletson, Esq. Their Lordships of the Committee have charged me severely with neglecting to answer 30 several inquiries. Some were not fit to be answered, viz., the number of fighting men on the Island, which I sent to you as a great secrecy not fit to be known by any but the King and yourself. Some could not be answered but by length of time and much charge upon general surveys and better settlements, which are as yet in their infancy. Parishes without churches; few people and those at a great distance one from another; registries of christenings and burials unsettled, most families burying their dead about their private houses. I send an account every six months to the Commissioner of Customs, and another to the Master of the

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Ordnance; from home we want a supply of gunpowder of which I hope Sir Francis Watson will take care. The Lords' questions are generally answered in a book called the State of Jamaica. In a former letter I conjectured our force of listed men at 4,000 whites and 50,000 blacks and Indians, of which last there are some in most plantations, excellent fishermen and fowlers, and skilful with cattle. I have since had lately returned to me lists of the general musters through the Island, which few men can have escaped, the law requiring all to be within a certain time listed at their place of residence. The total is little above 4,000 fighting men, though we have reputation with our neighbours for 20,000 and thus are formidable to them; so silence in this particular is a great security. This number of whites is one-fifth short of the proportion required by law, viz., one white to ten blacks, which cannot well be made up by servants that come hither, for that they make good no more than the deaths and departures of others from the Island. It must be by removal of families and the growth of youth here, "very hardy and much delighted in arms," that our necessities must in time be answered. From what I can gather from the leaders, the Assembly will abide by their former resolutions, and on their meeting on 28th October will not be prevailed with to pass the laws. They will submit, they say, to wear what His Majesty shall please to order, but they will not make chains for their posterities. The revenue therefore, when the Revenue Bill expires six months hence, must be kept on foot by my order and the Council's, which will rouse great opposition. I hear that they purpose to address the Commons of England, who, as it is reported here, are about making an Act to punish any levying of money but by consent of Parliament. Whether they include the Plantations I know not, but as this may become ground of complaint against me, pray send me timely such positive and clear orders as may justify the Council and myself. It is not safe to refer me to Colonel Doyley's government, for his council was elected, though some aver the contrary. The inhabitants are in great dread of danger from the French men-of-war in these seas. Report states that Count d'Estrées, now to leeward, as we suppose, at Havanna, and another squadron to windward, will rendezvous a month hence at Hispaniola. Their hunters there have orders to have such a supply of dried provision ready for them as shows their purpose on us or the Spaniard. The Spaniards have lately given them a just provocation by taking a small vessel, called a snow, with thirty men belonging to Count d'Estrées. The same Spanish man-of-war shortly before took a sloop belonging to Port Royal and carried the men prisoners to Porto Bello, where the English were not only relieved with money but by the friendship of the Bishop of Panama discharged and their sloop delivered to them, and the thirty Frenchmen put on board her to be transported hither; when on their application to me I furnished them with money and a sloop to go to windward to Petit Guavos with them. Since that a sloop of the Royal African Company has foundered at sea upon the coast of Hispaniola with negroes. The

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Agent of the Company sent to Petit Guavos and M. de Pouançay immediately despatched a sloop with provisions to them, but arriving too late (most of them having been fetched off by a sloop sent from here by the Company's factors) the French sloop came down hither with a letter to me and Sir Henry Morgan to help the master to his freight from the Company's factors. So we and the French are as yet very friendly. We are less well treated by the Spaniards, who have lately taken many of our ships laden with logwood and cacao, sparing none that they can overpower at sea. One Paul Abney was lately taken, with his sloop and passengers, prisoners by a Spanish man-of-war belonging to a squadron of five called the Barlovento fleet, commanded by the Vice-Admiral of Carthagena; and the sloop, having only cacao on board, was plundered. Abney produced my pass to the Vice-Admiral who wiped his breech with it and threw it at him again, converted the cargo of the sloop to his own use, and forced him to sign a receipt of having received money for the same (which indeed he had not) or else not to be discharged. Abney has sworn that when on board the Vice-Admiral he saw five other masters of ships on board, lately taken prisoners by the Spaniards, and one of them in irons. He brought letters from them to their relations at the Point complaining of their barbarous usage, which exasperates the people much against the Spaniards, who at the King's pleasure might be so easily humbled. I find on examination that the Revenue this year is above 1,100*l.* short of the expenditure; the account shall be sent to their Lordships when passed by the Council. Am consequently much straitened in my condition of living, everything except fruit being at excessive rates. What troubles me still more is the great arrear in the pay of the two foot companies; their impatience for the same grows greatly upon me; their necessities force them to complain, and the poor soldier's life grows uneasy in his quarters and occasions the death of many. The establishment for the government being also in arrear much pinches me. I must therefore entreat their Lordships for their good offices with the Commissioners of the Treasury in this matter. We have now 108 guns mounted at Port Royal and but 100 barrels of powder, out of which some must be spared for H.M.S. Hunter. Pray move the Master of the Ordnance, to whom I have written sending full particulars. It is very unpleasant to me to add to your many troubles and cares, but my duty must be my excuse. "Read 15 Dec. 1679." 8 *pp.* [*Col. Entry Bk., Vol. XXIX., p.* 331.]

Sept. 15. St. Jago de la Vega.

1119. Governor Lord Carlisle to [the Master of the Ordnance]. I enclose Captain Charles Morgan's account of stores for Jamaica (*see ante, No.* 1109). We have 108 cannon mounted at Port Royal, and 14 at Point Morant. We have but 100 barrels of powder; other deficiencies you will see from the return which I beg you will hasten to make good to us. The small arms damaged by Captain Knapman I found eaten up with rust, and not worth repairing. Field-carriages for field-pieces are also badly wanted.

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Much of the powder is decayed. *Copy.* Recd. from the Commrs. of Ordnance 18th December 1679. [*Col. Papers, Vol. XLIII., No.* 119, *and Col. Entry Bk., Vol. XXIX., p.* 339.]

Sept. 15. **1120.** List of ordnance, stores of war, &c., in Jamaica. Guns mentioned are, the cannon of 7, demi-cannon, culverin, demi-culverin, minion, falconet, sacker, and 12-pounder. *Copy.* Recd. from the Commissioner of Ordnance 18th December 1679. [*Col. Papers, Vol. XLIII., No.* 120.]

Sept. 15. St. John's, Newfoundland. **1121.** Charles Talbot to Sir Robert Southwell. We came so late to Newfoundland that the season for boats to adventure to the northward was past, neither could we get any. What I could learn in answer to the enquiries I have enclosed. *Annexed,*

1121. I. Answers to enquiries respecting Newfoundland. (1.) The Colony consists of about 1,700 men, women, children, and servants. Trade in summer fishing; in winter sawing of boards, building boats and making oars for the Adventurers. After the ships are gone they generally fish till All Hallowtide. There is furring to the north, but little to the southward. They observe the rules of their charter more than the Adventurers, for they preserve their stages, while the Adventurers people destroy theirs for firewood for the homeward voyage. (2.) The inhabitants are not able to subsist, and the less for want of a government to protect them in their labours. From England they get their bread, clothing, malt, flesh and pease, from Ireland both provisions and clothing, from New England tobacco, sugar, molasses, rum, flesh, bread, and flour. What relates to the fishery comes solely from England in English ships. (3.) They make no use of the wood except for purposes of the fishery, and building &c.; they do their best to secure the Adventurers' concerns which are left with them, but it is a common practice for the Adventurers to rifle the stages and rooms and boats to fit themselves, so I am informed, and the fact is not denied by some of the masters. (4.) Few of the Colony keep above three boats, and none of them take up more room than is convenient; far from being prejudicial the trade could not be so well managed without them. (5.) The boat-keepers left behind must be esteemed part of the Colony, but there are many that pay their passages out and home, and fish the season. These cannot be prejudicial to the Adventurers' concerns, though when the stages are ruined by the ships' companies I suppose the colonists make bold with the rest for firewood. (6.) The Colony and bye-boats are supplied with brandy, wine, salt, &c., from France, Spain, and Portugal, but only in English ships. (7.) The country is mostly barren and cumbered with wood. Winters are so severe and long as not to afford winter corn. In summer they might do somewhat, but servants' wages are so excessive

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that clearing ground and sowing corn would not be profitable. It is a Colony not of husbandmen but fishermen. (8.) New England trades with Newfoundland for fish. It is false that the fishermen are debauched by the Colony and forced to hire themselves for satisfaction of their debts; but as some of the servants return yearly to England when the summer voyage is over, they hire others in their places, thereby gaining their passages the year ensuing. (9.) It is supposed that the Colony own a fourth part of the fishing boats and generally make better voyages, but their expenses being greater they cannot afford to sell cheaper. (10.) Those of New England fish little on this coast, but their own fisheries increase, for they steal fishermen every year from Newfoundland. (11 and 12.) Referred to Captain Wright's report. (13.) The masters are glad to have the provisions of such men as are willing to stay with the Colony. (14.) The Adventurers' people break up their stages, and were beginning at St. John's when we were there, until forbidden. In short, they offer so many abuses to the Colony that some have removed to the French and more threaten to do so.

As to the French,—

They manage the trade as we do by a colony and fishing ships. Placentia is fortified, garrison of twenty men; ten families of English and French and more at other ports in the south; at least 40 ships fish on that side, come sooner, and go for the Straits a month before us. Northward at least 150 ships fish, according to Christopher Martin. They sail for St. Malo and thereabout. No information as to Colony or fortifications. They have a great trade for beaver in Canada and Nova Scotia. As to the present state of the fishery at large:—The trade is prejudiced for want of government. The fishermen are negligent and insolent. If the masters are severe the men desert to New England. The stages are generally destroyed; a great waste of wood and abuse to the Colony. (2.) The island is a possession of the British Crown. The Colony preserve it, having been settled by patent as a colony of fishermen with liberty to build stages, houses, or forts if they would, but not to make plantations within six miles of the fishery places so as to preserve the woods necessary for the fishery. (3.) If the Colony be not allowed to follow the fishing trade, the King's Customs will suffer, and many of his subjects be lost by removal to the French, to which several have been driven already. (4.) In case of war with France one ten-gun frigate might burn all the boats and destroy the Colony. St. John's and a few other harbours may be made impregnable. (5.) The way to secure Newfoundland is to settle a Governor and Government, fortify some of the choice harbours, and

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maintain good garrisons which may be done at little cost to the King. (6.) The Colony has declared its willingness to contribute, but the Adventurers and sack ships should contribute also, as they will profit, say, one penny per quintal or two quintals per boat, and the sack ships to find ammunition as in New England. (7.) The sum thus raised will pay for fortifications and garrisons. 3 *pp. Endorsed*, Recd. 13 Feb. Read 21 and 26 Feb. 1679-80. [*Col. Papers, Vol. XLIII., No.* 121, 121 I.]

Sept. 17 St. Jago de la Vega. **1122.** Governor Lord Carlisle to Mr. Secretary Coventry. Since mine of the 15th, Sir Henry Morgan has certain intelligence from a master of a sloop arrived in Port Royal, that seven days since six sail of French ships of war passed by the Isle of Ash, whereof four very large and two of smaller rates. Undoubtedly they come to join with the Count d'Estrées according to our first accounts. This suiting with the time of their appointed rendezvous much increases the fears of the people here, of whose warm entertaining them I doubt not if our powder answer but our time of service. 1 *p.* Recd. 9th Dec. Read 15th 1679. [*Col. Papers, Vol. XLIII., No.* 122, *and Col. Entry Bk., Vol. XXIX., p.* 339.]

Sept. 19. **1123.** Account of the pretensions of the Proprietors of New Jersey to pay no customs dues at New York. The Dutch while in possession of the territory called New Netherland in America levied 10 per cent. duty on all merchandise. In 1664 when the Fort of New Amsterdam (now New York) was surrendered to Colonel Nicholls, the same payments were consented to, and the privileges of the inhabitants reserved to them. Colonel Nicholls held the post of Governor under the Duke of York (to whom the King had granted this territory), and Colonel Lovelace after him till 1672. The Duke granted that portion known as New Jersey to Sir G. Carteret and Lord John Berkeley, which they enjoyed as proprietors of the soil until 1672, when by the chance of war the territory passed again in the hands of the Dutch, but was restored in 1673. All this time the 10 per cent. duty continued without interruption. In 1674 the Duke of York sent out Sir E. Andros as Governor and lowered the duty from 10 to 5 per cent., Sir G. Carteret dividing New Jersey with the Quakers under grant from the Duke, as he had formerly with Lord John Berkeley, which partition was confirmed by the Duke of York. Sir E. Andros continues to demand five per cent. customs, which the Quakers refuse to pay. Query: Are Sir G. Carteret and the Quakers by the grant of the soil empowered to erect different Governments and Commonwealths within their respective lands, or are they not like all the other people in the territory subject to the laws enforced in New York? 2½ *pp. Endorsed*, Recd. from Sir John Werden. [*Col. Papers, Vol. XLIII., No.* 123.]

Sept. 19. Whitehall. **1124.** Order of the King in Council. The new Government for New Hampshire having been appointed by Royal Commission, dated 18th September 1679, Ordered, that the seal herewith sent be the

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seal of the Province for all public documents, and that the portrait of His Majesty likewise sent herewith be kept and exposed to view in the places appointed for the meeting of the Council. 1½ *pp.* [*Col. Entry Bk., Vol. LXI., pp.* 9, 10.]

Sept. 19. Whitehall. **1125.** Order of the King in Council. Upon reading letter from Sir Jonathan Atkins, Governor of Barbadoes, of $\frac{6}{16}$ June last, concerning the Dutch Colony of Surinam (*see ante, No.* 1015), he is directed not to make any compact or agreement with the Dutch for the Surrender of Surinam upon any account whatsoever. *Draft, with corrections, and fair copy.* [*Col. Papers, Vol. XLIII., No.* 124, *and Col. Entry Bk., Vol. VI., pp.* 289, 290.]

Sept. 23. Whitehall. **1126.** Petition of the Earl and Countess of Lichfield to the King. Pray for a lease in reversion of the farm of the duty of 4½ per cent. of all commodities exported from Barbadoes, after the expiration of the present lease, for 31 years, and at the same rents and covenants. With reference to Lords of the Treasury to report what His Majesty may fitly do. ½ *p.* [*Dom. Entry Bk., Chas. II., Vol. LV., p.* 45.]

Sept. 24. Whitehall. **1127.** Order of the King in Council. For the addition of a clause to Lord Culpeper's instructions, giving, in case of the absence or death of the Governor, a seat in the Council and a power of veto to the Secretary, and in case of the Secretary's absence the same powers to the Major-General. 2 *pp.* [*Col. Papers, Vol. XLIII., No.* 125, *and Col. Entry Bk., Vol. LXXX., pp.* 365, 366.]

Sept. 24. Whitehall. **1128.** The King to Governor Sir Jonathan Atkins. Understands by his letter of $\frac{6}{16}$ June last (*see ante, No.* 1015) that the Dutch colony upon Surinam, being much oppressed by the Indians, are brought to such extremity that they are ready to quit their plantations there, and have made overtures to him for delivering that place and people to His Majesty. These are to signify the King's pleasure that the Governor of Barbadoes makes no compact or agreement with the Dutch for the surrender of Surinam to His Majesty upon any account whatsoever. [*Col. Entry Bk., Vol. VI., pp.* 290, 291.]

Sept. 24. St. Jago de la Vega. **1129.** Governor Lord Carlisle to Secretary Coventry. This comes by the same ship as mine of the 17th, she having been driven back by tornados and tempestuous weather. Having learned the Assembly's temper by the nature of the vote, whereof I enclose copy (*see ante, No.* 1098), I intend to be no more a stranger to their proceedings but to appoint one of my own servants to be their clerk, whereas hitherto I gratified them in their electing one of their own. On the 22nd instant His Majesty's frigate Success, Captain Tyte, arrived in Port Royal, and on the day before the Carlisle, Captain Swan. The Success takes the place of the Hunter, which I am sending to Carthagena to demand some English prisoners taken since my arrival in this place, which I could not do if the Success were not here to "countenance the harbour," where the people still dread the appearance of the French fleet. 1 *p.* "Recd,

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7th Dec., read 15th Dec. 1679." [*Col. Papers, Vol. XLIII., No.* 126, *and Col. Entry Bk., Vol. XXIX., p.* 340.]

Sept. 25. **1130.** Edward Randolph's receipt for the following papers from William Blathwayt, Esq., to be delivered in New England:—Four letters for the Governors of the four colonies, Connecticut, Rhode Island, New Plymouth, and Massachusetts Bay, from the Committee of Trade and Plantations, and one letter from His Majesty to the Governor and Company of Massachusetts, dated the 24th of July last; as also His Majesty's picture and Royal Arms, with a seal and press, and an Order of Council for authenticating the seal; four commissions for swearing the Governors of the colonies, and commissions for the Government of New Hampshire; map of Boston Harbour. *Signed*, Ed. Randolph. 1 *p.* [*Col. Papers, Vol. XLIII., No.* 127.]

Sept. 26. Whitehall. **1131.** Secretary Coventry to Governor Winslow. The King has received his letter of 1st July, and commands him to let him know they are the first letters received from him, and is very thankful; for the present he never received, nor the letters, the copies of which he has sent. The King is very sensible of the dutiful respects declared in them, and assures him that his kindness and protection will never be wanting to such of his subjects as honestly and conscientiously declare their submission and obedience in them. The things required in the letter are referred to the Committee of Council; Mr. Randolph, who brings this letter, will tell him there was no time to debate then, but he shall receive an answer by the next opportunity. Encloses the Order in Council upon it, asks him to receive Mr. Randolph civilly as a person the King believeth very well of. *Duplicate.* 1 *page, with seal.* [*Col. Papers, Vol. XLIII., No.* 128.]

Sept. 29. Narragansett. **1132.** Richard Smith to Sir R. Southwell. Thanks him for his kindness relating to the furthering of his petitions. Was in hopes that Mr. Randolph would have gotten out orders on both, but understands he hath not. It is probable Randall Holden and John Greene, Warwick messengers, might obstruct it by giving false information, as they have done in many other things relating to the Narragansett country and the rest of the colonies in New England and to Mr. William Harris, whom they have most notoriously abused and forced a possession on his interest, and those of Rhode Island employs (accomplices) with them. They do now since the coming home of those two base fellows, Holden and Greene, force possessions on several of their lands there in the King's province at Narragansett, notwithstanding His Majesty's letters commanding the colonies, all of them, the contrary; which made them, the first settlers and "ainchant" inhabitants draw up a remonstrance and petition to the King. It was directed in a letter to Mr. William Harris for him to deliver, but he is arrived in Narragansett before it came, so that it lies enclosed in that letter at his landlord's, one John Stokes, a baker, in Wentworth Street, near Spitalfields. Copy of the letter is enclosed. Requests Southwell's favourable aspect

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thereon, that the King and Council may have the sight of it and grant an order for their release. Are now governed by men's wills, and most of them Quakers, and of such and worse does Rhode Island consist; they were left by the King's Commissioners as Justices, till His Majesty's pleasure were farther known, and instead of that they exercise their patent right. Rhode Island has lately writ to the King begging the Narragansett country, which, if granted, they will dispossess the inhabitants here of their rights. If it is to be procured, wishes his Honour would get the "signoroty" of it, which would in time be very profitable. Has requested Squire John Lewen to take up the petition and to advise with him as to getting it presented; if that should miscarry the enclosed is the same. Was lately arrested at Rhode Island (a copy of their warrant is enclosed (*see ante, No.* 1067), on no charge, and then detained from Saturday to Monday in the afternoon; and then they met the Governor and Council and drew up a charge, (1) for presenting a petition in England tending to the subversion of their government, (2) for denying the King's authority, (3) for charging their court with injustice. The petition presented he (Sir R. Southwell) had seen. About six or seven years since they came over to Narragansett to keep court and sat in the King's province; which he (Smith) forbade them to do, as the Commissioners had ordered no one to exercise jurisdiction there but those appointed by themselves, and if that order was void then Connecticut had precedency. As for charging them with insults, did not; but might very well, relating to one Mr. John Saffin, a very fine discreet person, a proprietor in Narragansett country, who, for putting up an advertisement about sale of lands there, was arrested at Rhode Island on Sunday night. Saffin was tried at the next court in May last by a jury, several of whom had forced possession on his lands, and the foreman had prejudged the cause beforehand; all which he challenged of, but could not have it granted. So he was brought in guilty of what they have no law for, that his estate should be forfeited to their colony and he fined 30*l.*; and if this be not injustice, knows not what is. Must come to a trial before them next October, and if they abuse him at that rate shall move to England to have the question re-heard. Is emboldened to acquaint Southwell with these facts, and to request so great a favour of him by his good nature and inclination to help the wronged, and by his commands to inform him of the affairs of the country. Here is peace, the heathen most killed and taken; some are fled and do no damage. A prodigious and dreadful fire has lately happened in Boston, in which is consumed at least 200,000*l.*; some think it set on fire by design by Papists, but it is not known. It broke out between twelve and one o'clock. Are alarmed at the French fleet in the West Indies. A great year for fruit and corn, cider in abundance. *Endorsed*, "Recd. 5th March $16\frac{7}{8}\frac{9}{0}$." 3 *pp.* [*Col Papers, Vol. XLIII., No.* 129.]

Sept. 30. **1133.** Minutes of the Council of Barbadoes. Ordered, that Colonel William Bate, at the next meeting of the Council, produce

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the order for delivering arms out of the public stores to the companies called the Auxiliaries, and give an account why they were not paid for. That writs issue for the election of an Assembly on Monday, 20th October, the Members elected to meet at the usual place the next day. That the Treasurer pay Samuel Norris, gunner at the Hole Fort, five thousand pounds of Muscovado sugar for a year's salary. [*Col. Entry Bk., Vol. XI., p.* 302.]

[Sept.] **1134.** [Henry Jocelyn to Sir E. Andros.] My Lord Sterling's Nova Scotia ordered by King Charles II. to be delivered to the French in 1633, was thus bounded; C. Breton the E. bounds, and thence westward to Ste. Croix right against the E. end of the Grande Munhane, and a line E. from Pascattamaguade. Captain Walter Neale made Governor by the Council of Plymouth in 1631 of all of New England that was not granted to others; the W. bounds began at the E. end of Boston Patent, and went E. as far as Sta. Croix. All his time the French never claimed any land W. of Nova Scotia, but two years after he left M. Donee was sent by M. Commander Rasilio living at Lahane, E. from Cape Sable some 40 leagues, with a ship to discover the coast of Nova Scotia and New England. And in Penobscot Bay in a great fog Thomas Willett coming from Pemaquid to his house at Penobscot in a small shallop came foul of Donee's ship. Donee took him and made him pilot him to his house at Penobscot, and forced him to give him a bill of sale of his land and house, but sent him away in his shallop. Willett coming to his owners at Plymouth, they procured him a ship of 32 guns, an Ipswich man, to go and retake Penobscot with some land forces of their own, Captain Standish being commander of them. In the meantime Donee had fortified himself, and planted on a mount four or five great guns. The Plymouth forces demanding a surrender, he seemed willing upon honourable terms; but they refusing, Donee told them they must win it before they should enjoy it, and played his part so well (that) the great ship and Plymouth soldiers were forced to quit the place. *Endorsed*, "Sept. 79. Mr. Henry Joselin of Eastern County. For his "Excellence Sir E. Andros, Gov. Gen. of all his Royal Highness "territories in America." 1 *p.* [*Col. Papers, Vol. XLIII., No.* 130.]

Oct. 1. **1135.** Journal of Lords of Trade and Plantations. *Read*, Colonel Stapleton's letters of 1st and 18th June (*ante, Nos.* 1013, 1024), the latter complaining of the insolent behaviour of a French man-of-war. Their Lordships agree to commend Colonel Stapleton and to encourage him to do the like for the future; and, in view of other injuries inflicted by the French, to advise demand of satisfaction from the French Ambassador and French Court. They recommend further that, in compliance with Colonel Stapleton's suggestion, an able frigate be appointed to attend the government of the Leeward Isles instead of the Quaker ketch. Also that the 4½ per cent. duty of the Leeward Islands be applied for one year to the construction of a fort in each of the Islands and that the

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Commissioners of the Treasury be directed to adjust the matter with the present farmers of that revenue.

Lord Culpeper called in, and the new clause of his instructions referred for consideration by Order in Council of 24th September (*see ante, No.* 1127) approved. [*Col. Entry Bks., Vol. CVI., pp.* 70–72, *and Vol. LXXX., p.* 365.]

Oct. 4. **1136.** Muster roll of Captain Augustine Gavell's company of Colonel Thomas Fuller's regiment:—1 captain, 1 lieutenant, 1 ensign, 2 sergeants, 54 privates. *Copy.* [*Col. Papers, Vol. XLIII., No.* 131.]

Oct. 6. Nevis. **1137.** Governor Stapleton to Lords of Trade and Plantations. Nothing new since letter of 15th July, but the seizure and condemnation of an English ship, the Edward and William of London, which did in no manner transgress any known law. She rode at the great Salt Ponds upon St. Christopher's, which is as much His Majesty's property as any part of the Island, though not yet restored, notwithstanding frequent demands for possession. The seizure was made at sea after she weighed anchor. Her confiscation is contrary to the law of nations, to all articles of peace, and all ancient and recent agreements between the two nations in these parts. The judgment is grounded only on an order of the French King prohibiting all strangers' ships to approach his roads, a copy of which order was sent to their Lordships in the answer to their inquiries. Has sent an express to the French General to demand the vessel and goods, and to desire a meeting with him amicably to settle that and several other grievances. Would be glad to know whether, in case of denial, he would be justified in issuing letters of reprisal to the owners. 1 *p. Read,* 4 Jan. 1679. [*Col. Papers, Vol. XLIII., No.* 132, *and Col. Entry Bk., Vol. XLVI., p.* 404.]

Oct. 8. Whitehall. **1138.** Order of the Privy Council. Lord Culpeper informed the Board that the Oxford frigate is ordered to return from Virginia immediately after his landing, and is only victualled for that period; whereas the frigate, if it is to be of any profit to the Colony according to a promise made by the King, should convoy back the Virginia fleet in April. Ordered therefore, that the Admiralty be recommended to victual the Oxford for two months longer, that she may convoy the Virginia fleet to England. [*Col. Entry Bk., Vol. LXXX., pp.* 366, 367.]

[Oct. 8.] **1139.** Memorandum from Lord Culpeper in reference to the return of the Oxford frigate from Virginia (*which sailed from the Downs* 13*th February* $16\frac{7}{8}\frac{9}{0}$), which it is requested on behalf of the merchants may convoy home the Virginia fleet by April at the farthest. [*Col. Papers, Vol. XLIII., No.* 133.]

Oct. 9. Whitehall. **1140.** Journal of Lords of Trade and Plantations. Lord Carlisle's letter of 10th June read, reporting the refusal of the Jamaica Assembly to pass the laws which he took out with him. Agreed,

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that the matter rest until the last Orders, of 28th May 1679 (*ante, No.* 1008), shall have reached Jamaica. Lord Carlisle's request for stores and munitions of war (*ante, No.* 1059) read, and on inquiry for an account of the particular stores required, Sir Francis Watson produced it. Their Lordships ordered the information as to the French menace against Havanna to be brought to the notice of the King in Council. Ordered, that as Lord Carlisle mentions that he has suddenly called an Assembly (which he has no power to do without special direction), Mr. Secretary Coventry be asked if any such power has been transmitted to him within his knowledge. *Mem.*—Mr. Secretary, on being asked, said he knew of no powers entrusted to Lord Carlisle herein beyond those in his Commission and Instructions. 2½ *pp.* [*Col. Entry Bk., Vol. CVI., pp.* 73–75.]

(Oct. 9 ?) **1141.** Objections made by the Assembly of Jamaica to the laws transmitted by the King. The Militia Bill ought not to be passed, because—(1) The word fusees, known to be much more serviceable arms than muskets, is omitted. (2) The new proviso for settling satisfaction for losses caused by invasion are illegal. (3) The last proviso subverts the whole Government. Should it once pass no further laws need be made, for whatever the King instructs the Governor to do becomes by this clause lawful. (4) There being 10 companies now at Port Royal the general exercise must be appointed to be once in 10 weeks. (5) The power of the Court Martial is too arbitrary, and the power of fining a man is too exorbitant.

The Revenue Bill ought not to pass—(1) Because no money was ever raised in Jamaica by order of the Governor and Council except when Councillors were elected and hence representatives of the people. (2) The impost on Madeira is too high, and will both diminish the revenue and cause the Island to be ill supplied. (3) The contingencies to which the impost is appropriated should be named, or the money may be diverted from its true purpose. (4) It was never before provided that the Receiver General should take bond with sureties from merchants. A stranger might not be able to find securities and be ruined; and the matter is provided for by other statutes. (6 and 7) Verbal alterations on small points. (8) The salaries of the Captain General, Lieutenant General, etc. should be named in the bill. (9) The perpetuity of the Bill is not according to the practice of this Island and against the interest of any young Colony. *Copy. Inscribed,* Recd. from Colonel Watson. 2 *pp.* [*Col. Papers, Vol. XLIII., No.* 134.]

Oct. 9. **1142.** Address of the Governor and General Assembly of Connecticut to the King. Acknowledge His Majesty's great goodness to them in their charter bounds and privileges, which have been no small engagement and encouragement by their arms against the enemy to stand in defence of those parts; cannot choose but reflect upon themselves that in so many halcyon days of great immunities under his gracious shadow they have not with bended

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knees testified their utmost thankfulness; but such have been the 'overtures" by the death of their former Governor, Winthrop, and of late by the breaking forth of the war with the barbarous Indians, as hath hitherto retarded them. Have now a hopeful issue of that war, for although much impoverished in their estates, yet God has given them their lives for a prey, while many of their neighbours round about have been made a desolation. Acknowledge themselves debtors to the King for the greatness of his name and power, with the aspect thereof towards being a terror to their heathen adversaries. These troubles have been some hindrance to their duty of "timeous" acknowledging their thankfulness. Being summoned by the King's letter of 12th February 167$\frac{8}{9}$ to appear by agents to make good their claim to the Narragansett country, can say nothing but to beg that they may be admitted humbly to prostrate themselves at his feet, with earnest beseeching that they may be continued in the full enjoyment of all their limits and privileges, and that the messenger whom they have empowered, Mr. William Harris, may find favour, who can inform fully the expenses they have been at in the last Indian war, both as to money and men, and the advantages obtained, which have been certified to the Earl of Sunderland by the Commissioners of the United Colonies from Boston August last. *Signed* William Leete, Gov., John Allyn, Secy. *Endorsed,* Recd. from the E. of Sunderland 27 Nov. 1680. [*Col. Papers, Vol. XLIII., No.* 135.]

Oct. 11. Westminster. **1143.** Heer Du Leyden de Leeuwen, Ambassador Extraordinary to the United Provinces, to the King. Is charged with an express command to represent that the English still retain the Islands of St. Eustatius and Saba, captured from the Dutch, contrary to the tenor of the 6th Article of the peace concluded 10th February 1674; begs therefore that His Majesty will order the restitution thereof. *Signed* Du Leyden de Leeuwen. $\frac{3}{4}$ *p. French.* [*Col. Papers, Vol. XLIII., No.* 136., *and Col. Entry Bk., Vol. XLVI., p.* 389.]

1144. Translation of the foregoing. Read in Council 17th October, at the Committee 30th October 1679. [*Col. Papers, Vol. XLIII., No.* 137, *and Col. Entry Bk., Vol. XLVI., p.* 389.]

[Oct. 13.] **1145.** Memorandum by [Sir Francis Watson]. "The Earl of Carlisle desires 100 barrels of powder, 30 guns for the new fort, 50 men for recruits of the two companies, and a good fourth-rate frigate to defend the harbour." Recd. from Sir Francis Watson. [*Col. Papers, Vol. XLIII., No.* 138.]

Oct. 16. Barbadoes. **1146.** Governor Sir Jonathan Atkins to Lords of Trade and Plantations. Received their commands in a letter of 25th July last (*see ante, No.* 1079), which came not to his hands till the 12th instant; also another from His Majesty "whereby I find that in some measure I lie under his displeasure for an Act passed by me complained of by the farmers of the 4½ per cent. His Majesty's

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disfavour is more grievous to me than the deprivation of any government his Majesty hath to give can be. I will not take upon me to justify all the actions I have done since I came to this employment, especially at this distance, although were I nearer to you I doubt not to give your Lordships such reasons for what I have done as might at least mitigate those heavy censures if not fully satisfy you." Answers in detail the particulars of the farmers' petition with some reflexions upon the reasons inducing him to pass the Acts complained of. When he found there were several actions brought against the farmers he reflected upon his error, and gave order to the judges to stop all proceedings thereon till he should have His Majesty's commands. "And the truth is I was sensible of my own weakness, which I was not willing should appear before your Lordships; and well knowing that the Act would shortly fall of itself or was otherwise ineffectual I did forbear to send them to you with the rest." Knows of no other Acts withheld unless temporary for three or six months, and some others obsolete and out of use. Hopes to give their Lordships satisfaction in what they want, although there will be great difficulties, and it cannot be done in a short time. Finds they are somewhat offended at some expressions of his, as if intended to cast reflexions upon their Lordships, which was far from his thoughts, and he hopes he shall never be guilty of such imprudence. Explains why he wrote as he did "wherefore I hope those words upon a favourable interpretation may pass for harmless, since they were not ill meant." The church is in good order and supplied with good ministers, the magistrates the same, the courts of justice regularly prosecuted, the clamour of debts stopped, and a very ready way to recover them, the island well fortified, no parts of America better, the militia in very good order and well disciplined, ammunition of all sorts, arms of several sorts, and this without charge to the King. "I may fail in my judgment, but I hope shall never fail in my integrity. My Lords, I must finish with a request that you will please to consider me as the King's Governor here; and that you are pleased to put the opinion of merchants or people that are concerned in this Island in balance with me—'tis something hard to bear as your letter expresses; they tell you their own interests, and it may be not the Kings, which, when 'tis required, I shall faithfully do." Will provide an answer to all their commands the first opportunity. The new Assembly have repeated that formidable Act as will appear by the copy. *Enclosed,*

1146. I. An Act repealing an Act for allowing of a second free entry of the dead productions of this Island lost or taken relating to the 4½ per cent., Barbadoes, 1679, 22nd October. *Signed by* John Higinbotham, Clerk of the Assembly. Certified copy by Edwyn Stede, Deputy Secretary. *Together*, 4 *pp.* "Rec. 5 Jan. 1679–80. Read, 13 Jan. 1679–1680." [*Col. Papers, Vol.* 139, 139 I., *Nos.* 139, 139 I., *and Col. Entry Bk., Vol. VI., pp.* 293–297.]

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Oct. 17. Whitehall. **1147.** Order of the King in Council in reference to the representation of the Dutch Ambassador (*see ante, No.* 1143). The Lords of Trade and Plantations to examine the business, report and advise thereon. *Signed* John Nicholas. [*Col. Papers, Vol. XLIII., No.* 140, *and Col. Entry Bk., Vol. XLVI., p.* 389.]

Oct. 17. Whitehall. **1148.** Memorandum of Council. Upon hearing the pretensions of Mr. Ayleway to be admitted Auditor of Virginia, together with the allegations of Lord Culpeper to the contrary, petition of said Ayleway was dismissed. [*Col. Entry Bk., Vol. CVI., p.* 75, *and Col. Entry Bk., Vol. LXXX., p.* 367.]

(Oct. 17.) **1149.** Petition of Réné Petit, the King's Agent at Rouen, and Jacob Guérard, Gentleman, of Normandy. Pray that a certain number of the Protestant families which have already arrived in England may be shipped on board the Richmond frigate, said to be bound to Barbadoes in a few weeks, and that the said frigate may sail first to Carolina with the emigrants, and thence to Barbadoes; also that a warrant may be prepared for the grant to the petitioners of 2,000*l.*, whereof one moiety to be received on arrival of the first batch of emigrants, and the remaining moiety on arrival of the rest. *Annexed,*

1149. I. Copy of Order in Council of 28th May 1679 (*see ante, No.* 1006.)

1149. II. "Copy of the Subscription List for the advancing of money." After a brief preamble setting forth the object, "We whose names are underwritten do hereby promise and engage every one for himself to advance and lend until the said Réné Petit and Jacob Guérard the sums hereinafter mentioned, amounting in all to the said 1,400*l.*, in case the said 2,000*l.* be wholly made over unto us, and the payment thereof secured by a Privy Seal or such other way as lays in His Majesty's power to grant to be received as it is expressed in the order aforesaid,—

"I will lend 400 pounds, Albermarle.
"I will lend 200 pounds, P. Colleton.
"I will lend 50 pounds, Francis Tysson.
"I will lend 50 pounds, P. Ward.
"I will lend 100 pounds, John Ward."

[*The total is thus only* 800*l.*].

Endorsed, Recd. 17 Oct. 79. Read in Council the 22nd and to be read again when His Majesty shall be present. Read in Council 24 Oct. 1679. *Together,* 4 *pp.* [*Col. Papers, Vol. LXIII., Nos.* 141, 141 I., II.]

Oct. 18. Jamaica. **1150.** [Letter of Intelligence?] "There has been lately taken from the Spaniards by Coxon, Batharpe, Bothing, and Hawkins, with their crew, 500 chests of indigo, a great quantity of cacao, cochineal, tortoiseshell, money, and plate. Much is brought into this country already, and the rest expected. Those that pay

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custom for their goods land it at noonday and share it. And besides those before mentioned Captain Cook, on the coast of Cuba, perceiving some Spaniards, left his vessel, and he and his men went on shore there in their boats, where in a small time came a Spanish bark with cacao and money, on which they seized and brought her away, and the cacao was brought in by shallops and paid custom, and was landed and shared. This I write, not out of any prejudice I have to anyone, but believing, as most others do, that these things will be laid on the back of the country, as most miscarriages are, when in truth they are exceedingly against it, knowing that His Majesty had commanded a peace with the Spaniards; and besides it hinders and discourages the manufacture of this place, for those that can buy privateer goods cheap will not lay out their money on such unless they can have them much under the usual price. The Success arrived here the next day after Captain Swan (*see ante, No.* 1129) and in five days the Commander, Captain Tyte, died, and his Lieutenant, Johnson, is Captain. She is now sent out to seize on all the goods they can find which do not appear to be intended hither for the payment of duty. Hawkins was not with those that took the indigo, but at Santa Martha, which he and other privateers took not long since and plundered. So long as they see they can bring in their goods, paying custom, they will daily increase, and great depredations will be made on the Spaniards.—Don Pedro." [*Col. Papers, Vol. XLIII., No.* 142.]

Oct. 18. Whitehall. **1151.** Journal of Lords of Trade and Plantations. Conference on the Treaty of Neutrality with the French in the West Indies. The French ambassador, replying to Secretary Coventry on the project delivered to him on 25th July last, said he had received that project perhaps too hastily from them, his first orders being to adjust the ratification of the Treaty concluded by the two Governors, with the inclusion of Jamaica and Barbadoes. He had had no answer from the Ministers in France, except that there being peace between the two Crowns there was no occasion for a new treaty. His Master did not, therefore, think it convenient to enter into it, though willing to ratify the first treaty with the inclusion of Jamaica and Barbadoes.

Their Lordships replied that the treaty was begun at the solicitation of the French Governor and altered according to his Excellency's desires; a ratification could but settle and confirm what had been first agreed; but the ambassador repeating in substance what he had already said, their Lordships say they would take this for an answer. And so they parted. 1½ *pp.* [*Col. Entry Bk., Vol. CVI., pp.* 75, 76.]

Oct. 20. **1152.** Colonel Francis Moryson to Mrs. Jeffreys. According to her wish, writes all that he knows of what passed between Sir W. Berkeley and her late husband about his salary. Sir W. Berkeley, on receiving his orders of recall from Colonel Jeffreys and the other Commissioners, told Jeffreys in Moryson's hearing that he should

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have his 100*l.* per month from the date of his arrival, and that for the time while Berkeley stayed he would give him bills of exchange, but warned him that at the year's end he would find the place so "expenseful" that 100*l.* a month would not give him salt to his bread. Jeffreys asked Berkeley how he should come to his salary, who answered "Before God, you must look to that as I have done." Not many days before his departure Sir William sent Colonel Jeffreys bills of exchange for a considerable sum, but these were returned by Jeffreys, for Sir William told him that he must owe the money to his (Berkeley's) kindness and not to any right of his own, which expressions Jeffreys did not relish. *Endorsed* with a certificate from Sir John Berry that he was present at the conversation between Jeffreys and Berkeley about the salary, knows the contents of the letter to be true, and can give further instances if need be. 2 *pp.* [*Col. Papers, Vol. XLIII., No.* 143.]

Oct. 21. **1153.** [William Blathwayt] to the Commissary of the Musters. Lord Carlisle having signified to the Lords of Trade and Plantations the want of recruits for the two Jamaica Companies under his command, their Lordships, not having received any particular account of the state of those companies, are desirous that you, who have doubtless full particulars from your deputy in that Island, will acquaint them, by to-morrow morning at nine, with the state of the muster rolls and any further information respecting the said companies. 1 *p. Draft.* [*Col. Papers, Vol. XLIII., No.* 144.]

Oct. 21. Whitehall. **1154.** Journal of Lords of Trade and Plantations. The business of the Bermuda Company. Minutes of 30th July read and approved. Both parties argued again on the first article, and the complainants produced an order of Court showing the intention of the Company to give sentence in the case of Mr. Sands and Mr. Righton; but their Lordships seeing no reason to alter their previous opinion on the subject, the parties proceeded to the second article. The Company at length confessing that they levied shipping dues of 12*d.* per ton, their Lordships think that some such dues are reasonable, but will think further if 12*d.* a ton be too burdensome. On the fifth article of complaint their Lordships agree to report that all the King's subjects should have absolute liberty to present their petitions to His Majesty. On the seventh article of complaint the complainants produce copy of a warrant (*see below*), signed by the Governor of Bermuda to levy distress on those who should refuse to pay taxes for support of Government. The Company allege that any imposition of taxation without the consent of the inhabitants by the Governor, is against their order. The eighth charge was ruled frivolous, and two material points alone remaining undecided were adjourned till the 23rd instant. 4 *pp.* [*Col. Entry Bk., Vol. CVI., p.* 77–80.]

[Oct. 21.] **1155.** Warrant of Sir John Heydon, Governor of Bermuda, addressed to the "Constable or Hedborrough of Hamilton tribe," authorising him to collect the general levy for defraying the public

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charge in the Islands and to distrain upon the goods and chattels of any person who should refuse to pay his assessment in tobacco according to the value of 7½ lbs. of tobacco per share (25 acres). "Given under my hand at St. George's, 8th November 1677." *True copy certified* by Stephen Righton, constable, *and attested* by James Farmer, witness, and Thomas Ontorbrid (?), the latter adding "I heard Stephen Righton say that this is a true copy of the Governor's warrant." *Endorsed*, Read at the Committee 21st October 1679. [*Col Papers, Vol. XLIII., No.* 145].

Oct. 21. **1156.** Minutes of the Council of Barbadoes. The Members of the Assembly elected by virtue of the new writs were presented as follow, viz.:—

For St. Michael's—Colonel William Bate, Colonel Richard Guy, returned by Richard Howell.

For St. John's—Colonel Christopher Codrington, Colonel Thomas Colleton, returned by Henry Walrond.

For St. Joseph's—William Sharpe, Edward Binney, returned by Thomas Wardall.

For St. Phillip's—William Goodall, Richard Pocock, returned by John Witham.

For St. James'—Edward Littleton, James Walwyn, returned by John Stanfast.

For St. George's—Major Rowland Bulkley, Samuel Husband, returned by William Bulkley.

For St. Lucy's—Lieutenant-Colonel Samuel Tidcomb, Captain Thomas Maycock, returned by Symon Lambert.

For St. Peter's—Colonel Richard Bayley, Major William Foster. returned by Alexander Riddock.

For St. Thomas'—Lieutenant-Colonel James Carter, John Davies, returned by said Davies.

For Christchurch—Richard Seawell, Major Richard Williams, returned by Samuel Newton.

For St. Andrew's—Captain John Merricke, Captain John Gibbs, returned by said Gibbs.

The Assembly presented Colonel Richard Guy for their Speaker. Ordered, that Colonel Henry Walrond, John Witham, and Richard Howell meet some members of the Assembly to prepare a letter in answer to one from Sir Peter Colleton and Colonel Henry Drax against the next meeting of this Board. [*Col. Entry Bk., Vol. XI., p.* 303–304.]

Oct. 21. **1157.** Journal of Assembly of Barbadoes. Returns of the election for the several parishes. Being met at the Roebuck in St. Michael's Town, Colonel Richard Guy was elected Speaker, John Higinbotham their Clerk, and John Forbes Marshal.

Oct. 22. Edwyn Stede, of the Council, administered the oaths to their Clerk and Marshal. Rules and Orders for governing the proceedings of the Assembly passed unanimously; also an Act to revive and continue the several Acts of the militia. Letter read from Sir Peter Colleton and Colonel Henry Drax to the Council

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and Assembly dated London, 19th July 1679, in answer to theirs of 16th April (*see ante, No.* 969). Upon Lord Carlisle's going to Jamaica the late Council thought fit to make alterations in the powers and instructions granted to the Governors of the English plantations, which are described. That the farmers of the 4½ per cent. have made a complaint against the law of Barbadoes to ship in case of loss the same quantity of sugars free of duty. Were summoned before Lords of Trade and Plantations on 4th July and recite what took place (*see ante, No.* 1048). While discussing these laws, the Lord President said he wished he could see a proposition from the Island for taking the duty of 4½ per cent. from the King; to which they replied the Island was willing to farm it from the King, and Joseph Crispe, who was present, said he was also prepared to treat for the Leeward Islands, but the discussion was postponed. Hitherto have received no sugar or advice from their Treasurer. Committee appointed to prepare an answer to the above letter. Then was communicated by his Excellency a letter from His Majesty to him of 27th July 1679, with Report of Lords of Trade and Plantations against the Act to ship in case of loss the same quantity of sugars free of duty, declaring His Majesty's disapprobation and disallowance of said Act, and that it be forthwith repealed and declared void. Whereupon an Act was passed unanimously "in obedience to His Majesty's royal pleasure," repealing said Act. Adjourned to 25th November. [*Col. Entry Bk., Vol. XIII., pp.* 354–367.]

Oct. 22. Whitehall. **1158.** Report of Lords of Trade and Plantations to the King. On the subject of the behaviour of the French man-of-war commanded by the Comte de Sourdis (*see ante, No.* 1024), the violent and unjust seizure of sugars passing from one English district to another, and the demand of an entry on all English goods (*see ante, No.* 963). Recommend that complaint be made by the King's Minister in France and to the French Ambassador in England of the wrong suffered by His Majesty's subjects, in order that, besides satisfaction for past injuries, they may have liberty to use the high roads in St. Christopher's without disturbance or making any entry; and that friendly correspondence may be maintained between the two nations. Recommend also that in accordance with Governor Stapleton's past suggestions, a frigate is necessary to carry him from place to place and generally encourage His Majesty's subjects. The strong squadrons, efficient companies of soldiers and strong fortifications maintained by the French in the Leeward Islands at the expense of the French King, greatly harass English subjects, and His Majesty is therefore advised to encourage them by allowing the expense of a small fort in each of the Islands, the more for that the British have shewn every disposition to help themselves, and to comply with the King's commands. Again, the 4½ per cent. duty levied on export of dead commodities from the Leeward Islands for the expenses of Government is farmed in England for 700*l.* annually. The King has derived little advantage from it, while the inconvenience and detriment to the planters far

679. exceeds that sum. Both this duty and that of Barbadoes are included in the farm, and since both are considerably decreased from their true valuation and agreement, it is recommended for the preserva- of these Islands and the safety of the plantations at large, that the Governor be permitted to levy this duty, and that the proceeds be applied to the finishing of one good fort in each of the Leeward Islands for the space of one year, and such time longer as the Islanders may need and deserve the King's bounty herein. This is the easiest and most reasonable method for the support of the King's interest in the West Indies; it can easily be made agreeable to the contract for the farm and will make but a small increase of charge, very disproportionate to the extraordinary outlay of the French King in the Leeward Islands. The Lords would press the King the more strongly on this point, inasmuch as those of them that were appointed to negotiate a treaty of neutrality with France in the West Indies, plainly find that the French Ambassador refuses to agree to the project placed in his hands in July last. Looking to the apprehension that will be caused in the Leeward Islands by this refusal, and to the former suspicions set forth to His Majesty in the Report of 25th April 1678 (*ante, No.* 679), wherein also a suggestion was made as to the force, naval and military, that was thought necessary, and estimates prepared to lie by till further occasion, the Lords now consider the present to be a fitting occasion for presenting those estimates for the expense of 1,000 soldiers and six frigates (*see ante, No.* 862). Pending decision on this matter, the Lords insist again on the necessity of applying the 4½ per cent. duty to the construction of forts. *Signed* Finch, Worcester, Bridgewater, J. Ernle, H. Powle, H. Coventry. 6 *pp.* Read 24th Oct., and referred by His Majesty's order to the Commissioners of the Treasury for their opinion thereon. *Signed*, Robert Southwell. *Annexed,*

1158. I. Report of Commissioners of the Treasury on the above. Do not see how, in view of the contract made with the farmers of the 4½ per cent. duty, that of Barbadoes can be separated from that of the Leeward Islands. The farmers, however, are willing to allow the sums of money collected in the Islands on account of the rent payable by them to the King to be applied to such purposes as the King shall think fit, on condition that such sums be allowed them as if they had been paid into the Exchequer according to the reservation in their lease. *Signed* Essex, L. Hyde, J. Ernle, Ed. Dering, S. Godolphin. *Dated*, Whitehall, Treasury Chamber, 10 Nov. 1679. [*Col. Papers, Vol. XLIII., No.* 146, 146 I., *and Col. Entry Bk., Vol. XLVI., pp.* 372–379 and 395.]

Oct. 23. Whitehall. **1159.** Journal of Lords of Trade and Plantations. The business of the Bermuda Company. Argued on both sides whether the Company have any right to receive Appeals for the Court of Judicature within the Islands, and whether the Company have power to raise taxes except by consent of the inhabitants, and

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both points at length waved by the complainants. Their Lordships determine to report the minutes of their first meeting of 30th July, and on the right of every subject to present petition to the King. [*Col. Entry Bk., Vol. CVI., p.* 81.]

Oct. 24. Whitehall. **1160.** Memorandum of Committee of Plantations. That on this day Lord Radnor was appointed Lord President of the Council. [*Col. Entry Bk., Vol. CVI., p.* 81.]

Oct. 24. Whitehall. **1161.** Order of the King in Council referring to the Lords of Trade and Plantations for their report the petition of Bartholomew Price, administrator to Colonel Herbert Jeffreys, late Lieutenant-Governor of Virginia. [*Col. Papers, Vol. XLIII., No.* 147, *and Col. Entry Bk., Vol. LXXX., p.* 369.] *Annexed,*

1161. I. Petition of Bartholomew Price, administrator to Colonel Herbert Jeffreys, Lieutenant-Governor of Virginia, to the King. That, by His Majesty's instructions of 11th November 1676, said Jeffreys was allowed the duties formerly paid to Sir William Berkeley for support of the Government. That by His Majesty's letters of 27th December 1677 he was appointed the yearly salary of 1,200*l.* until 25th March 1678, after which time it was to be paid in England. That on said 25th March 1678 there remained three months' salary due (being the sum now in dispute between Lady Berkeley and the relict of Colonel Jeffreys), and 900*l.* from said 25th March to 17th December 1678, when the Colonel died. Prays, in consideration of the premises and of the calamitous condition of said Colonel's wife and child, for speedy payment of said arrears. 1 *p.* [*Col. Papers, Vol. XLIII., No.* 147 I.]

Oct. 28. **1162.** Sir Stephen Fox, Paymaster-General, to the King. That there remains due to Thomas Lord Culpeper, for his pay as Governor of Virginia, and to the Lieutenant-Governor, Major-General, and the Commissary of the Musters in said Colony, for one year and two months, from 30th April 1678 to 1st July 1679, the sum of 3,024*l.* 7*s.*, whereof 1,600*l.* hath been paid to Lord Culpeper. [*Dom. Entry Bk., Chas. II., Vol. L., p.* 45.]

Oct. 28. Whitehall. **1163.** The King's warrant to Sir Stephen Fox to pay to Lord Culpeper and others as above the sum of 1,424*l.* 7*s.* out of moneys for the pay of His Majesty's guards and garrisons. [*Dom. Entry Bk., Chas. II., Vol. L., p.* 44.]

Oct. 28. Whitehall. **1164.** Warrant to Sir Stephen Fox, Paymaster-General of the King's Guards and Garrisons, to pay to Thomas Lord Culpeper the sum of 92*l.* 5*s.* due to the officers of his company in Virginia from 30th April to 31st August 1678, with the certificate annexed. [*Dom. Entry Bk., Chas. II., Vol. LIX., p.* 5.]

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Oct. 28. Whitehall. **1165.** Similar warrant for payment of 1,684*l.* 3*s.* due to a company of foot in Virginia, under the command of Lord Culpeper, from 3rd August 1678 to 1st July 1679. [*Dom. Entry Bk., Chas. II., Vol. LIX., p.* 6.]

Oct. 28. Whitehall. **1166.** Warrant for payment of 2,320*l.* 9*s.* to Captain Herbert Jeffreys', now Sir Henry Chicheley's, company of foot in Virginia, from 30th April to 1st July 1678, with certificate annexed. [*Dom. Entry Bk., Chas. II., Vol. LIX., p.* 8.]

Oct. 29. **1167.** Journal of Lords of Trade and Plantations. Minute granting the petition of Réné Petit (*ante, No.* 1149) for the transport of several Protestant families to Carolina on board the Richmond frigate. [*Col. Entry Bk., Vol. CVI., p.* 82.]

Oct. 30. Whitehall. **1168.** Journal of Lords of Trade and Plantations. Read, pursuant to Order in Council of 24th October, the petition of Colonel Herbert Jeffreys, late Governor of Virginia, for the arrears of salary due to him as Commander-in-Chief of Virginia, three hundred pounds whereof is said to be payable out of the fund of 2*s.* a hogshead in Virginia and the remainder out of the Exchequer in England. No one appearing on behalf of Lady Berkeley who claims the 300*l.* in right of her husband, ordered that her attorney be summoned to appear next Thursday.

Report concerning the Bermuda Company ordered on the 23rd October approved and signed. Ordered, that the Company be required to furnish the Committee with all their laws and constitutions and the commission and instructions of their governor in the Somers Islands.

A letter from the general Court of New Plymouth, touching Mounthope and the Narragansett country, lying before the Committee, the petition of Mr. John Crown for the lands of Mounthope in compensation for his losses in Nova Scotia was considered. The answer of the Agents of Massachusetts and Rhode Island, together with the report of the Committee and the King's letter of 12th February last to the four Colonies of New England, as also the answer of New Plymouth, were read. Resolved to recommend that in consideration of the Colony's sufferings during its late wars with the Indians, the lands of Mounthope be continued in its possession.

Read, the Memorial of the Dutch Ambassador of $\frac{11}{21}$ October (*see ante, No.* 1143) for restoration of St. Eustatius and Saba. Resolved to recommend that full report be made by Colonel Stapleton as to the condition of the Islands when he took them over, and that the Ambassador be informed that the King on receiving the said report will forthwith order restitution of the Islands. 3 *pp.* [*Col. Entry Bk., Vol. CVI., pp.* 81–85.]

Oct. **1169.** List of all ships that have laden any of the enumerated plantation commodities in the Island of Barbadoes from 14th April 1678 to 14th October 1679. Total 51 ships, 39 English built, and 12 foreign built, with names of the masters. *Endorsed,* "Rec, 3 June 1680." [*Col. Entry Bk., Vol. IX., No.* 1.]

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Oct. ? **1170.** Petition of the Council and Assembly of Jamaica to the Duke of York. Begging him to intercede with the Royal African Company, to furnish the Island annually with a plentiful supply of negroes at moderate rates, whereby His Majesty's Customs will be increased and the country accordingly strengthened and improved. [*Col. Papers, Vol. XLIII., No.* 148.]

Nov. 1. Westminster. **1171.** Certificate of the Commissary of Musters. There was mustered in Lord Carlisle's and Sir Henry Morgan's companies one hundred soldiers besides officers to each Company on the 1st March 1677–8, which was their last muster before leaving England. Their last muster bearing date 1st January 1678–9 shows them to be complete, but this came to hand accidentally. What condition the companies may be in now I know not, for the Commissary (if any there be) in Jamaica has never yet given the Commissary-General any account thereof, probably for want of definite instructions and from ignorance of his dependence on him. This may also explain the irregularity of the musters at Jamaica where they are taken every four, instead of as here every two, months. *Signed*, J. Baynes, Commissary. 1 *p.* Read, 13th November 1679. [*Col. Papers, Vol. XLIII., No.* 149.]

Nov. 1. Whitehall. **1172.** Warrant to the Paymaster-General for payment of 683*l.* 13*s.* 6*d.* to Lord Culpeper's company of foot in Virginia from 1st July to 1st November 1679. [*Dom. Entry Bk., Chas. II., Vol. LIX., p.* 7.]

Nov. 2. New Plymouth. **1173.** Governor Winslow to the King. Concerning Wm. Harris's case referred to New Plymouth by command of 17th November 1677. The Governor and magistrates on hearing both sides, 28th October 1679, decided in favour of Harris that the lands contained in the second verdict of the jury, were part of the lands of Patuxet and within the Commission of His Majesty's Court of Commissioners. Gives particulars of the reasons of their decision. 4 *pp.* [*Col. Entry Bk., No. LXI., p.* 81.]

Nov. 6. Whitehall. **1174.** Journal of Lords of Trade and Plantations. Upon the report concerning Mounthope, agreed that the Colony of New Plymouth be obliged to pay the King a yearly acknowledgment of seven skins for the seven thousand acres to be granted them, or fourteen merks for the same, those lands appearing to have been taken by conquest from King Philip, and having never before been in possession of England. Mr. Crown called in, who begs their Lordships to consider his claim for compensation out of the lands of Mounthope for his losses through the surrender of Nova Scotia. Agreed that no part of those lands be given to Mr. Crown, whatever his pretensions to the King's favour on some other occasion.

Report concerning Saba and Statia read and approved.

An Act received from Barbadoes referred to the Attorney-General. [*Col. Entry Bk., Vol. CVI., p.* 88.]

1679.
Nov. 6. Council Chamber.

1175. Sir Robert Southwell to the Attorney-General. Sends an Act passed in Barbadoes to enable the executors of William Plumley, who died seised of a considerable estate but clogged with debts, to sell said estate to provide competent portions and maintenance for the wife and children of the deceased; to see if anything in point of form be incongruous or fit to be objected against. *With Mem.*—"I have perused the Act within mentioned, and see no cause why the same should not be confirmed. Creswell Levine, 26 Dec. 1679." 1 *p. Annexed,*

1175. I. Order of the King in Council approving the Act above mentioned, which is hereby confirmed, enacted, and ratified accordingly. Whitehall, 7th January 1680. [*Col. Papers, Vol. XLIII., No.* 150, *and Col. Entry Bks., Vol. VI., pp.* 298–300, *and Vol. CVI., p.* 88.]

Nov. 6. Whitehall.

1176. Order of the King in Council. Report of Lords of Trade and Plantations on the memorial of the Dutch Ambassador Extraordinary respecting the restitution of the Islands of St. Eustatius and Saba (*see ante, No.* 1143). We understood that before the late war the said Islands were made use of by the Dutch to the detriment of English trade by carrying off commodities which ought not to have been diverted from England, and that if they were possessed by the French they would be a great annoyance to the English Islands; and being sensible that the only reason why the Dutch had not demanded them was the danger of their falling into the hands of the French, we advised in our letter of 6th September 1677 that Governor Stapleton should be ordered not to comply with any demand from the Dutch without express directions from the King. But since your Majesty stands obliged by treaty to restore the Islands, we advise that Governor Stapleton be directed to report on the present condition of the Islands, their state when he took them over, the cost, if any, since bestowed on them, and the charge of keeping and maintaining them since the peace: and that meanwhile the Dutch Ambassador be informed that His Majesty not having been before advised of the desire of his masters to repossess the Islands, has ordered Governor Stapleton to report as aforesaid, and on receiving his answer, and thus enabling himself better to dispose of his subjects, will order the restitution of the Islands. *Signed,* Radnor, Lauderdale, J. Bridgewater, Sunderland, Cavendish, H. Powle, Fauconberg. Order in Council accordingly. [*Col. Papers, Vol. XLIII., No.* 151, *and Col. Entry Bk., Vol. XLVI., p.* 390.]

Nov. 7.

1177. Order of the King in Council. That the Earl of Sunderland shall apprize the Dutch Ambassador Extraordinary of the steps taken in respect of the restoration of St. Eustatius and Saba (*see preceding abstract*). [*Col. Entry Bk., Vol. XLVI., p.* 393.]

Nov. 8.

1178. Colonel Alexander Culpeper to [the Secretary to Lords of Trade and Plantations]. In reference to the petition of Bartholomew Price now before their Lordships, wherein he claims for Mr. Jeffreys

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300*l.* to which Lady Berkeley is legally entitled. Has acted for Lady Berkeley before in this matter, but received her orders to proceed no further, as she was coming home in the next ship to see to it herself. Hopes therefore that the hearing of the business may be adjourned until her arrival. 1 *p.* [*Col. Papers, Vol. XLIII., No.* 152.]

Nov. 13. **1179.** Sir Francis Watson to Mr. Blathwayte. "Memorial" to move the Council for Foreign Plantations for a Recruit of Ammunition for His Majesty' service at Jamaica, viz. 150 barrels of powder and 30 guns. *Signed.* Read 13 Novr. 1679. [*Col. Papers, Vol. XLIII., No.* 153.]

Nov. 13. **1180.** Muster roll of Lord Carlisle's company of foot for the sixty-one days 1st of May to 1st of July 1679. *Signed,* W. Delamayne. *Endorsed,* Presented to the Committee 13 Nov. 1679. *Parchment.* [*Col. Papers, Vol. XLIII., No.* 154.]

Nov. 13. Council Chamber. **1181.** The Secretary of the Lords of Trade and Plantations to Mr. Guy (Secretary of the Treasury). In reference to Bartholomew Price's petition in behalf of the widow of Colonel Jeffreys, Lord Culpeper is of opinion that the 900*l.* therein stated is due; but as the sum must be paid from the Treasury here, the Lords of the Treasury are requested to write what may occur to them before the matter be reported to His Majesty; and to report further in reference to some money lately sent to Virginia by His Majesty's orders, of which no account appears as yet to have been made. *Draft, unsigned.* 2 *pp.* [*Col. Papers, Vol. XLIII., No.* 155.]

Nov. 13. Whitehall. **1182.** Journal of Lords of Trade and Plantations. Read, the petition of Bartholomew Price on behalf of Mrs. Jeffreys, widow of the late Colonel Jeffreys, Governor of Virginia (*see ante, No.* 997). Lord Culpeper and Mrs. Jeffreys called in. Lord Culpeper confirms her claim to 900*l.* as salary of her late husband; but their Lordships finding that the sum must be paid out of the King's Exchequer here decide to consult the Commissioners of the Treasury before reporting the matter in Council. On the withdrawal of Mrs. Jeffreys, Lord Culpeper mentions a sum of money lately sent to Virginia by the King's order, but unaccounted for, which matter was likewise referred to the Treasury. A general letter containing heads of inquiry, similar to those addressed to Sir W. Berkeley, delivered to Lord Culpeper. His Lordship took occasion to point out the evil precedent of assigning a sum of money, out of the fund of 2*s.* per hogshead in Virginia, to Mr. Sands and others, in compensation for losses sustained by them at sea. Many other merchants will thereby be encouraged to lay their claims before the King, the public revenue will suffer, and the people will be disinclined to pay it, if it be assigned to English merchants to make good their losses from Algerine pirates.

Lord Carlisle's letters of 10th July again read (*ante, No.* 1059). Resolved not to recommend compliance with his Lordship's request

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for ammunition, until he furnish more particular details as to the state of the forts and stores, the more so since the French fleet is now reported to have sailed for Europe. Resolved further, after consideration of the reports of Mr. Baynes and Sir Francis Watson, that there is no occasion to send more soldiers, nor another frigate to Jamaica. Sir Francis Watson to attend at the next meeting, and give an account of the Island and of its requirements.

The Revenue Act lately sent over by Lord Carlisle was read, and the differences betwixt this Act and that transmitted under the Great Seal were noted, viz. (1) the wording of the preamble, (2) the proviso which exempts Jamaica ships from all impositions, and, (3) the limitation of the Act to a year's duration only. Lastly, the expression that "the King thanks his good subjects and accepts their benevolence is misliked," inasmuch as the Jamaica Assembly has rejected the Bill transmitted by the King, and passed one of its own choosing. This circumstance also frustrates other of His Majesty's intentions and orders. It is noticed further from Lord Carlisle's action that the latitude given to governors in calling of assemblies "for answering some very urgent necessity" is too great. Agreed to recommend that the words of the instruction be altered to prevent governors from calling assemblies without orders from the King, except in cases of rebellion and invasion only.

Their Lordships taking notice that the governors are generally defective in their correspondence, resolve to issue to them an order, requiring them to report all affairs of importance in the plantations, together with their opinion thereon at least four several times in the year. The Secretary of each plantation also to correspond with the Clerk of the Council attending the Committee, and send copies of all documents of moment, and the Clerks of the various Assemblies to furnish copies of their journals and of the Bills passed.

The appointment of Mr. John Bindloss to the posts of Clerk of the Crown and Peace and Clerk of Markets and Fairs in Jamaica brought before their Lordships by the Lord Privy Seal. The appointment objected to on the grounds that the said offices are given for life, are granted in plurality, and are all to be exercised by deputy, contrary to the instructions given to Lord Carlisle. Sir Thomas Lynch happening to be present was called in, and explained that in Jamaica every district has its own Clerk of the Peace appointed by the Custos Rotulorum of that district. Ordered, that their Lordships' objections be laid before Secretary Coventry, by whom the appointment of Mr. Bindloss was procured, and an explanation required from him as to his motives and reasons. *Mem.* — Mr. Secretary Coventry replied that he had himself objected to the appointment on the grounds of plurality, but was told that the offices were of so little value that they could not be granted separately. Also that the tenure of such offices for life is a common practice in Barbadoes and other Colonies, and that this, as also the exercise of such offices by deputy, are matters of His Majesty's pleasure. Mr. Secretary drew attention withal to

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abuses that have recently crept into the Plantations in respect of offices. Formerly the power claimed by governors to dispose thereof was so absolute that they challenged the King's appointments under the Great Seal. Now, by a rush into the other extreme, Governors have been deprived of the authority which it was necessary for them to maintain by disposal of offices within their Government, which are now filled by His Majesty through private solicitation of persons in no way concerned with the Plantations, without the knowledge or approbation of the Governors. These people being possessed of His Majesty's favour perhaps in opposition to the Governors, have much thwarted and diminished the respect and authority due to them. Mr. Secretary therefore recommends an inspection of the offices, and a division thereof into those that may be fitly filled by His Majesty, and those that may be left to the disposal of the Governors. 11 *pp.* [*Col. Entry Bk., Vol. CVI., pp.* 89–100.]

Nov. 14. Council Chamber.

1183. Report of Lords of Trade and Plantations to the King. As to the appointment of John Bindloss to be Clerk of the Crown and Peace in Jamaica (*see post, No.*), and the inconveniences to which the Government of the Plantations has been subjected in the respect of public matters (*see Journal of this date No.* 1182), we recommend an inspection of all offices, and a division thereof, into places to be filled by the King and Governor. We have also to complain that in spite of numerous instructions Governors are very negligent in reporting events within their Governments. We recommend that they be ordered to furnish us quarterly with a journal of occurrences, and the secretary of each plantation likewise to transmit to us all public papers that we ought to see. *Signed*, Radnor, Worcester, Anglesey, J. Bridgwater, Sunderland. 6 *pp.* [*Col. Papers, Vol. XLIII., No.* 156, *and Col. Entry Bk., Vol. XCVII., pp.* 67–71.]

Nov. 14. Whitehall.

1184. Report of the Lords of Trade and Plantations to the King in Council, and Order in Council thereon. On the petitions of the inhabitants of Bermuda (*ante, Nos.* 990, 1052) against the Somers Islands Company, after several attendances of both parties with their learned Counsel, the grievances (many of them being of little weight, and others waived by the complainants) were reduced to the two following: (1) As to the complaint of the inhabitants that they are forbidden by the Company to send petitions or present appeals for relief to the King, the Lords are of opinion that the people of Bermuda, like all subjects of the King, should enjoy the right the appeal to him without the interposition of any person whatsoever. (2) As to the dispossession of the owners of land by the Company without trial at law. The Company plead that they have power by their charter to hear and decide all differences; that no title was ever tried in Bermuda till the year 1654, when the Company constituted a Court of Justice upon the place, and that that has not only reserved to itself the right of appeal, but also of hearing divers cases at first instance. The complainants on

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the other hand argue that the obligation of attending the Company here for the decision of differences often turns to their ruin, owing to the expense of the journey, and the neglect of their business at home; and that if after trial at law in the Island by a jury (as frequently happens) the Company continues to reverse the judgment by its own order, it will always be in its power to favour its members, and even reassume possession of the lands demised to the inhabitants. Moreover, whereas the whole Company formerly resided in England, three parts out of four of them are now resident in Bermuda, and it is therefore right that the Judicature should attend the majority on the spot. Upon the whole matter the Lords are of opinion that the Company has no right by its charter to determine matters as a Court of Judicature at first instance; that the trial of causes originally by the Company in England is illegal, and should not be continued. If the parties will not consent to accept the decision of the Committee of Trade and Plantations the Lords advise that the powers of the charter be left to a trial at law by a *Scire Facias* or *Quo Warranto*. *Signed*, Bath, Bridgewater, H. Coventry, J. Ernle, Fauconberg, Lauderdale, H. Powle, Radnor. Council Chamber, 29th October 1679. Order in Council accordingly. 3 *pp.* [*Col. Entry Bk., Vol. XVII., pp.* 77–80.]

Nov. 14. **1185.** Lords of Trade and Plantations to Governor Stapleton. Directing him to furnish a particular account of St. Eustatius and Saba, pursuant to Order in Council of 6th November. [*Col. Entry Bk., Vol. XLVI., p.* 394.]

Nov. 20. Whitehall. **1186.** Journal of Lords of Trade and Plantations. In the matter of the arrears of salary of Colonel Jeffreys (*ante, No.* 1170). An answer having been received from Colonel Culpeper, agent to Lady Berkeley, Mrs. Jeffrey's petition was again read, and thereafter Colonel Culpeper's letter of 8th instant. Their Lordships, taking notice that the continuance of Sir William Berkeley in Virginia after the arrival of Colonel Jeffreys was contrary to the King's pleasure, as expressed in His Majesty's letter of 13th April 1677, agree to report that the sum of 300*l.* claimed by Mrs. Jeffreys be paid to her, provided she give good security (according to her offer) to abide the King's final decision in the matter, when Lady Berkeley shall think fit to prosecute her claim thereto. 2 *pp.* [*Col. Entry Bk., Vol. CVI., pp.* 101, 102.]

Nov. 20. Whitehall. **1187.** Lords of Trade and Plantations to Thomas, Lord Culpeper, Governor of Virginia. Recommend to him several heads of inquiry concerning the Colony of Virginia, to which they expect his speedy answer. Require that he transmit a clear and full account of the state wherein he shall find said Colony, and generally of all things entrusted to him. [*Col. Entry Bk., Vol. LXXX., pp.* 367, 368.]

Nov. 23. St. Jago de la Vega. **1188.** Governor Lord Carlisle to Lords of Trade and Plantations. Mine of the 10th September has I hope reached you. The Assembly since its meeting on 28th October, has proved my

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conjectures to be no vain prophesy. On that day I went down with the Council to their place of meeting, and again in the Council's presence read to them your report of 28th May last, and His Majesty's orders to me of 31st of the same, and thereupon offered them the body of laws brought over under the Great Seal of England for their consent. I declared to them at the same time the expediency it would be to all affairs of the Island; that it would persuade the King they were another people than they were represented at home, and be a means to induce him to gratify them in what was necessary, whereas otherwise they could not but appear in great contempt, to the lessening of the Islands interest in the royal favour; and what I urged in general to them at their meeting I had not been wanting to press to them apart individually before it. I then swore them a clerk of my appointing, which they took not well, alleging it was their right to appoint their own clerk. I told them No! for that the King did grant by Patent the Clerk of the Parliament, so that they were uneasily overruled. My reasons were that they had an opinion that the votes of the House should be kept a secret from me, and that they passed a vote in former sessions, that to raise money and dispose of the same was a right inherent in the Assembly, whereof I had no notice in a fortnight after, either from any of them or their Speaker. I much urged the whole Assembly to argue freely in the presence of the Council and of their members for the reasonableness of the matter proposed by the King, but none of them would undertake in my presence and the Council's, so we left them and the body of laws with them. They spent some days in reading over again the body of laws that I had left with them, but rejected all the arguments I had laboured them with, and threw all the laws out again. Whereupon they appointed a Committee to draw up an address to be presented by me to His Majesty, and in that time I drew up a Bill of Revenue, indefinite, and presented it to the Speaker; but that Bill was rejected also.

Upon the 14th instant the Speaker and Assembly, being sent for to attend me in Council to show cause why they had rejected the Revenue Bill, gave me no answer, but desired to present me with their address, the Speaker contending to give it its due accepts by reading it himself. Copy thereof is enclosed.

This address is founded greatly upon the advice of Lieutenant Colonel Samuel Long, the Chief Justice and one of the Council, who principally contends for the old frame of government. The Assembly is "highly opinionated of him," and esteems him the patron of their rights and privileges as Englishmen. He had a hand in leaving the King's name out of the Revenue Bill, being then Speaker, and denies not his having a hand in framing and advising some parts of the address, which on the whole is not truth, for—1. Whereas they allege that the civil government commenced in Lord Windsor's time, it is known and recorded in our Council Book to have begun fifteen months before, in Colonel Doyley's time, and will be proved by Sir Thomas Lynch, who then himself had occasion of a trial by jury, the foreman of which was Colonel

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Bindloss. 2. They allege the readiness of governors to use martial law, particularly in Sir Thomas Lynch's time, whereas here there was only an Order of Council for putting it in force in case of actual descent or invasion; nor was it on foot all his time here, as I am credibly informed on inquiry. 3. As for its being in force in my time, it was not of my affecting, but of the Council's advising and desiring it, as was also the putting off the courts till February, in favour generally of the planters. Then as to their alleging so much to have been done during the martial law wholly at the charge of the country—that it is done is true, but they would clog the Revenue Bill with the charge thereof, amounting to 1,228*l.*, when, *communibus annis*, the Bill of Impost is but 1,500*l.*, whereof 1,228*l.* is not one farthing of it paid, nor any prospect that it will be paid; the revenue being much anticipated from the want of money in the Treasury, owing to Lord Vaughan's letting fall the Bill of Revenue before his departure.

About the opening of this Session a depredation (of which your Lordships will probably hear ere long) was made on the Spaniards in the Bay of Honduras by English, French, and others, the usual composition of privateers. These vessels were commanded by persons belonging to Jamaica, of whom I had some jealousy before they left Port Royal, so I stopped several of their men and took security from some of the commanders for their good behaviour. Notwithstanding my care they made their venture, and returning to uncertain stations hovered about this Island. The smaller of them having, without my knowledge or that of any of my officers, landed her cargo of indigo in the remotest parts of the Island to leeward, the rest, who had not landed their load, reported that unless they were permitted to bring it into harbour on paying the King's duty they would leave their interest in Jamaica and sail to Rhode Island or to the Dutch, where they would be well entertained. Upon the first news I ordered His Majesty's frigate Success to cruise for them, which seized the empty vessel and brought her to Port Royal. H.M.S. Hunter having a few days before coasted round the Island for privateers, returned with one Cornelius Essex, commander of the Great Dolphin, who was tried with twenty of his men for riotously comporting themselves and for plundering Major Jencks of St. James' parish in this Island, and two of them sentenced to death. The indigo landed was laden in small sloops, and by them entered in the Custom House at Port Royal. The quantity thereof having much abated the price, it has taken for some little time the place of our native sugar and indigo; though in the main the Island is in truth much benefited, the Treasury being near 1,000*l.* in arrear, which is difficult to recover where money is so scarce.

I had information some days since of the capture of a valuable ship of 28 guns, belonging to the United Provinces, by one Peter Harris, a privateer ever since the taking of Panama. I at once despatched the Success to cruise for her, and my news is since confirmed by the arrival of eleven men belonging to the Dutch ship in their long boat. This happened at the time of the Assembly's

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discontent and uneasiness. Not knowing that the frigates had my orders to sail in pursuit of privateers, and particularly of Peter Harris (which the King's ships have ever had from me on all occasions) they angrily hastened to me by seven of their members (some of them but lately rebuked by me for cherishing and entertaining privateers) a petition, wherein apart from their dissatisfaction at everything else they press for the doing of that which, in spite of great difficulties, I have ever striven to effect. Thus you will see my position towards this Island, which entertains my services so ill; but it is not unreasonable to hope for better, since your Lordship's own endeavours had no better success. I foresee that the Session will not be to much purpose. You shall have full information by H.M.S. Hunter which shortly sails for England. "Read 26 Feb. 1679–80. Read at the Committee 4th March 1679–80." 5½ *pp.* [*Col. Papers, Vol. XLIII., No.* 157, *and Col. Entry Bk., Vol. XXIX., p.* 363.] *Enclosed,*

1188. I. "The Humble desire and Justification of the Members of His Majesty's Council to his Excellency the Governor in Jamaica." His Majesty having altered the frame of government in Jamaica to that of Ireland, we his loyal subjects do dutifully submit; but although His Majesty's great perspicuity and truly loyal prudence is best able to determine what government is the fittest for his subjects, we beg leave to represent the great inconvenience caused by transmitting laws home according to the new frame of government:—

The distance is so great for transmitting laws hither and thither that by the time they can finally be passed by the Jamaica Assembly there will probably be as great cause to alter as there was at first to make them. Hitherto our laws have required amendment at least every two years, and we cannot foresee but that they will require it still, which will be impossible unless we be restored to our former powers. As to the passing of the Revenue Bill without mention of the King's name therein, we solemnly aver, contrary to the assertion of the Assembly, that we read it three times and passed it with the King's name included therein. Nor have we ever complained of the power given by the King to the Governor to suspend members of the Council. *Copy certified by Rowland Powell, Clerk of Council. The names of the members, seven in number, who were present at the passing of the Revenue Bill referred to, are given in full. Subscribed,* Recd. from the Earl of Carlisle 26th Feb. 1679–80. Read, 4th March. 4 *pp.* [*Col. Papers, Vol. XLIII., No.* 157 I.]

1188. II. Address of the Assembly to Governor Lord Carlisle. We, the Assembly, have heard with infinite grief of mind of the report made to the King by the Lords of Trade and Plantations, wherein we are held up as people full of animosity, unreasonable, irregular, violent, undutiful,

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and exceeding both the bounds of duty and loyalty. Were we in the least conscious of having deserved so bitter a character, we should, like Job, have said, "We are vile, what shall we answer? We will lay our hands upon our mouths." To justify ourselves we are forced to go back to the time of Sir Thomas Modyford's governorship, when we conceive the Island first to have discarded the form of an army and taken up the form of civil government common to all the King's more ancient plantations. In the Militia Bill power is given to the Governor which is not given to the King of England over the militia. We have never in our past history shown by our behaviour that the governors need more power in this respect. Martial law has been frequently declared, and we have never been backward. As to the omission of the King's name from the Bill of Revenue we are fully persuaded that this was an amendment of Council. Their Lordships again are misinformed when they say that a Revenue Bill without limitation was passed in Sir Thomas Lynch's time. All Bills were limited by his instructions to two years, and we have good reason not to wish that our powers of limitation to such Bills should be taken away. As our assertion that the laws sent to us contain many fundamental errors, it is true, as we can prove by instances. As to their Lordships' contention that we cannot be subject to more accidents than Ireland, we would point out the difference in the distance of Ireland and Jamaica from England. [Various other minor points dealt with seriatim at length.] *Copy certified by Rowland Powell, Clerk Council. Endorsed* as the preceding paper. 12 *pp.* [*Col. Papers, Vol. XLIII., No.* 157 II.]

1188. III. Address of the Assembly of Jamaica to the Governor. Urging him, in view of the many depredations committed by pirates and privateers, to take some speedy and effectual course for putting an end to the same with the two frigates and two companies of foot maintained by the King with that object. *Copy.* 1 *p.* "Read, 4 March 1680." [*Col. Papers, Vol. XLIII., No.* 157 III.]

Nov. 23. St. Jago de la Vega.

1189. Governor Lord Carlisle to Secretary Coventry. *This letter is practically the same as the foregoing to the Lords of Trade and Plantations until the writer speaks of the behaviour of Colonel Samuel Long.* Colonel Samuel Long refused to sign with the Council a document of justification to which the rest had unanimously agreed, and is now withdrawn to his plantation, thirty miles from this town where at this juncture we have most need of a Council. Thereupon I sent him "his quietus," and appointed Colonel Bindloss, of whose fidelity to the King's interest I am assured, to be Chief Justice in his place. I have also suspended Colonel Long from the Council, and propose by advice

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of the Council to send him with six more of the Assembly to England to plead their own cause before the King and Privy Council, the Council of Jamaica being unanimously agreed that this is the best expedient for a satisfactory settlement. H.M.S. Hunter is returned from Carthagena with the Spanish Governor's reply. He was so jealous that he refused the Captain or any of his company admittance within the gates, and received them in a tent pitched for the purpose on the beach. He denied that he had any English prisoners, and gave assurance that just satisfaction should be given on Señor Quintaan's returned to Carthagena. The Hunter is fitting for England, and will be ready to sail at Christmas. The Revenue Bill expiring on the 2nd March, I should be glad of further power to command the concurrence of the Council, if the Assembly should force me to raise Revenue by order of Government and Council. If the King think fit to continue Assemblies, I would recommend a reduction of the numbers to one for every parish, and two apiece for St. Catherine's and Port Royal. I have little fear of censure for his removal of Colonel Long, unless because I did not remove him sooner. "Read at the Committee, 4 March 1679." 4 *pp.* [*Col. Entry Bk., Vol. XXIX., p.* 369.]

Nov. 25. **1190.** Journal of Assembly of Barbadoes. On reading an address of Thomas Morris, Robert Draper, Jeremiah Cooke, and John Smith, and other merchants and traders in the Island, in relation to the great injuries and inconveniences to the English nation by the great number of Jews inhabiting and trading in Barbadoes, it was found worthy of speedy and serious consideration, and to be presented to his Excellency and Council. Letter prepared by the Committee to Sir Peter Colleton and Colonel Drax approved.

Nov. 26. Petition of the butchers for removal of the market to its former place, recommended to his Excellency and Council. An Act for speedy remedy in distresses passed. On complaints from inhabitants of St. Michael's and others that James Vicars, clerk of the market, hath taken unreasonable fees, the Assembly address his Excellency and Council to restrain such proceedings. On consideration of the great prejudice and oppression to the inhabitants by excessive and exorbitant fees taken by others of the Court of Chancery, an Act was passed to regulate the method of proceeding in said Court.

Nov. 27. An Act to restrain the Jews from keeping and trading with negroes passed. Also the Act for regulating the method of proceeding in the Court of Chancery and the fees. Richard Seawell to prepare a Bill for *habeas corpus* as near as may be to the law of England. Adjourned to 16th December. [*Col. Entry Bk., Vol. XIII., pp.* 367–370.]

Nov. 26. **1191.** Petition of the Merchants and Freeholders of Bermuda to Lords of Trade and Plantations. Refer to their petition of May last (*see ante, No.* 990), which was examined by their Lordships, with the result that the Governor and Company were held to have acted illegally, and that judgment confirmed in Council. The

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petitioners are without relief, and having been instructed by order of the Privy Council of 14th May to attend their Lordships for redress, they have annexed hereunto a copy of their grievances with the answers of the said Governor and Company, and pray for relief accordingly. They will most cheerfully pay the 4½ per cent. duty and submit to such Government and Governor as His Majesty shall appoint. Recd. 1st December 1679. [*Col. Papers, Vol. XLIII., No.* 158, *and Col. Entry Bk., Vol. XVII., p.* 81.] *Annexed,*

1191. I. "An Abstract of the Planters Articles against the Bermuda Company and their Answer." A recapitulation of the sixteen complaints and the answers thereto already calendared (*ante, Nos.* 1052, 1061), with a marginal comment on each. Four specific cases of dispossession of land tioned in support of the first complaint, viz. those of William Righton, Thomas Leycroft, Perient Trott, and Mr. Delbridge, with an addition that "to disinherit the planters and purchasers of their inheritances, the Governor and Company have caused the records and entries made in their books to be rased and taken off the files to their utter ruin." 12 *pp. Endorsed,* "26 Nov. 1679. The humble petition of the merchants, freeholders, and inhabitants in Barmodes." [*Col. Papers, Vol. XLIII., No.* 158 I.]

Nov. 28. Whitehall. **1192.** Order of the King in Council. That Colonel Stapleton be commended for his service in resenting the insult offered to the English flag by the Comte de Sourdis (*see ante, No.* 1024), and acquainted with the issue of the late negotiations for a treaty of neutrality with the French, as also with His Majesty's bountiful supply of 1,500*l.* towards the building of Forts in the Leeward Islands, and with other necessary particulars. [*Col. Papers, Vol. XLIII., No.* 159, *and Col. Entry Bk., Vol. XLVI., p.* 410.]

Nov. 28. Whitehall. **1193.** Order of the King in Council. That Sir Henry Coventry enter claim with the French Ambassador, and through the English Ambassador in France, for satisfaction in respect of the indignities if offered to English subjects in St. Christophers [*see* Report of Lords Trade and Plantations *ante, No.* 1158]. [*Col. Entry Bk., Vol. XLVI., p.* 410.]

Nov. 28. Whitehall. **1194.** Order of the King in Council. On Report of 22nd October (*ante, No.* 1158 I.), that the Commissioners of the Treasury take care that the farmers of the 4½ per cent. duty pay to Governor Stapleton 1,500*l.* out of that duty, to be by him devoted, as he shall think most requisite, to the construction of one good fort in each of the Islands under his Government. [*Col. Entry Bk., Vol. XLVI., p.* 397.]

Nov. 28. Whitehall. **1195.** Order of the King in Council. On petition of Thomas Lord Culpeper, Governor of Virginia, to have the same honour and

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privilege with all His Majesty's Governors of Plantations in America of wearing a flag in the main top outside the limits of the Narrow Seas. Ordered, that the Lords of the Admiralty allow the same, if any of His Majesty's Governors under the same characters have actually enjoyed the privilege. [*Col. Entry Bk., Vol. LXXX., pp.* 376, 377.]

Nov. Whitehall. **1196.** Minute of a Committee of Trade and Plantations. That the petition of Mr. Sands concerning the custom of tobaccos to be repaid him in Virginia is referred to the Treasury. [*Col. Entry Bk., Vol. CVI., p.* 103.]

Dec. 1. Whitehall. **1197.** Journal of Lords of Trade and Plantations. Petition (*ante, No.* 1191) read from the inhabitants of Bermuda praying that the Company might be directed to attend with their final answer concerning their grievances. Ordered, that copy of the petition be sent to the Company, and that they attend with their answer upon the last Order of Council which otherwise will be pursued. ½ *p.* [*Col. Entry Bk., Vol. CVI., p.* 104.]

Dec. 1. **1198.** William Blathwayt to the Deputy Governor and Company of the Somers Islands. Enclosing copy of the petition of the inhabitants of Bermuda (*see ante, No.* 1191), with orders to attend their Lordships with their answer to the Order in Council of 14th November, or, in default, to understand that the directions therein contained will be followed. [*Col. Entry Bk., Vol. XVII., p.* 82.]

Dec. 1. St. Jago de la Vega. **1199.** Governor Lord Carlisle to Secretary Coventry. Since last writing, letters have come from Captain Johnson of H.M.S. Success who was ordered to coast round Jamaica in search of privateers. Johnson has taken one Captain Sawkins with his vessel and sent him to Port Royal, where he remains in custody until the King's evidence be got ready. The Success is now gone to attempt one Peter Harris on board the Dutch frigate lately surprised by him among the South Keys off the coast of Cuba, where the ship cannot safely adventure. Doubts not soon to hear a good account of him. Since the suspension and removal of Colonel Long the Assembly is a little more sedate. They have raised a parochial tax of 1,300*l.* to pay for the new fortifications at Port Royal, and are this day preparing a Bill to continue the revenue on foot for twelve months from the 2nd March next. Is inclined to accept this from prudence, not finding all the Council very inclinable to raise a Bill of Revenue by order of the Governor and Council without some further power from the King. "Read at the Committee 4th March 1679-80. 1 *p.* [*Col. Entry Bk., Vol. XXIX., p.* 373.]

Dec. 1. Whitehall. **1200.** Warrant to Sir Stephen Fox for payment of 339*l.* 1*s.* 2*d.* to Lord Culpeper's company of foot in Virginia for two months to the end of December 1679. [*Dom. Entry Bk., Chas. II., Vol. LIX., p.* 29.]

1679.
Dec. 3. Whitehall. **1201.** Order of the King in Council. That Lord Culpeper, according to his request, have liberty to stay in town about his affairs until Monday next "and no longer, and then to proceed forthwith on his voyage to that government" (of Virginia); of which the Commissioners of the Admiralty are to take notice. [*Col. Entry Bk., Vol. LXXX., p.* 373.]

Dec. 4. St. Jago de la Vega. **1202.** Governor Lord Carlisle to Secretary Coventry. On the very night when I wrote of the intended cruise of H.M.S. Success, I was surprised by the news of her being bilged upon her anchor and become irrecoverable. They say, what I can scarce believe, that her bottom is out, lying run by a current upon a bank of sand in 15 foot water. Have sent provisions and water to the men, ordered Captain Johnson to save what he can, and despatched the Hunter to his assistance. I regret the King's loss, and this Island's, and the disappointment of her commander who was a very diligent man on board, and by his carriage gave me great hopes of better success. The pilot is in prison till I can hear the matter from Captain Johnson, face to face. "Read at the Committee 4th March 1679–80." [*Col. Entry Bk., Vol. XXIX., p.* 374].

Dec. 4. Whitehall. **1203.** Journal of Lords of Trade and Plantations. The Bermuda Company attend with their answer to the petition of the inhabitants and are called in—Sir Gilbert Gerard, Mr. Alderman Chalnor, Mr. Banner, Secretary, and others; on the other side Mr. John Trot and Josias Pitts. The Company endeavoured to excuse their proceedings of justice but were answered with denial and proof by Mr. Trot. Finally, Sir Gilbert Gerard in the name of the Company declared that they would rely wholly on His Majesty's favour granted them in their charter, and only submit the legality of it and of their proceedings unto the law. Their Lordships thereupon agreed that the Order of Council of 12th November last should be pursued, and that the Attorney-General be directed for the prevention of further differences and complaints to bring a *quo warranto* against that charter, which bears date the 29th June in the eighteenth year of King Charles I.

Report on the payment of Mrs. Jeffreys approved, a clause being added to admit Lady Berkeley to put in a further claim.

Draft report for the examination of public offices in America approved. Agreed further to recommend His Majesty to order that Governors dispose not of their places for gain, but make choice of fit persons without any other consideration.

Sir Jonathan Atkin's letter of 10th September (*see No.* 1113) read; extracts of the same ordered to be sent to the Commissioner of the Treasury. 2 *pp.* [*Col. Entry Bk., Vol. CVI, pp.* 104–106.]

Dec. 4. Council Chamber. **1204.** Minute of Lords of Trade and Plantations. That His Majesty be moved to order the Governors of the Plantations to dispose of no places for gain, but in consideration only of a person's ability and fidelity. Read in Council 21st December 1679. [*Col. Papers, Vol. XLIII., No.* 160.]

1679.
Dec. 4. Council Chamber.

1205. Lords of Trade and Plantations to the King. Report on petition of Bartholomew Price, Administrator to the late Lieutenant-Governor Jeffreys, in reference to the right of the widow Jeffreys to 300*l.* for salary due to her husband for the first three months after his arrival in Virginia, and Lady Berkeley's pretensions to the same. Although Sir William Berkeley remained actual Governor three months after the arrival of Colonel Jeffreys, it was contrary to His Majesty's order, and Colonel Jeffreys had no other maintenance or support for the said term than said 300*l.* The Lords are of opinion that it should be paid to said Price on giving security to abide His Majesty's final determination if Lady Berkeley think fit to prosecute the matter further. 2 *pp.* [*Col. Entry Bk., Vol. LXXX., pp.* 369–371.]

Dec. 4. Council Chambers.

1206. Report of Lords of Trade and Plantations. The business of Mounthope. Recapitulates the petition of Mr. John Crown, of 6th February, and the letter of New Plymouth. Are of opinion that the lands in Mounthope should be granted in full and entire property to New Plymouth on condition of paying a quit-rent of seven beaver skins or 14 marks a year, and that the King should promise on due application to confer on them a new charter containing all such privileges and advantages as shall be by them reasonably desired, and by the King thought fit. *Signed*, Radnor, Anglesey C.P.S., J. Bridgwater, Essex, L. Hyde, J. Ernle. *Endorsed*, "Read in Council 21 Dec. 1679." 6 *pp.* [*Col. Papers, Vol. XLIII., No.* 161, *and Col. Entry Bk., Vol. LXI., pp.* 10–15.]

Dec. 5. Whitehall.

1207. The King to Thomas Lord Culpeper, Governor of Virginia. Has lately received an address from the Assembly of Virginia, dated 20th May last, in behalf of themselves and His Majesty's soldiers, for payment of arrears and remission of arrears of quit-rents. Directs him to acquaint the Assembly upon his arrival in Virginia with the care His Majesty had taken at Lord Culpeper's instance, before the receipt of their address, for payment of the arrears due to the soldiers and for the continuance of the same for the future without any charge or other trouble to the country than only to give credit for their quarters at 2*s.* per week each, until monies be from time to time remitted. As to the quit-rents, His Majesty will shortly give such orders as will consist with his service and the ease of the people there. His Majesty hath sent some laws to them with which he expects a cheerful and ready compliance. [*Col. Entry Bk., Vol. XCIX., p.* 16.]

Dec. 5. Whitehall.

1208. Order of the King in Council. That the Commissioners of His Majesty's Ordnance forthwith put on board the Oxford frigate the proportion of arms and furniture for 200 dragoons herein set forth, to be there delivered to Lord Culpeper for the use of the Colony of Virginia. *List of stores:*—Powder, 100 barrels; Dragoon muskets, 100; bayonets with belts, 100; swords, 100; shoulder belts, 100; cartouche boxes with girdles, 200; French tents furnished, 15. [*Col. Entry Bk., Vol. LXXX., pp.* 373, 374.]

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Dec. 6. Whitehall. **1209.** Journal of Lords of Trade and Plantations. Agreed to report to the Council that the several bundles of papers relating to foreign trade and plantations in the Council Office be lodged in the office of the Committee of Trade and Plantations, and a list of them left with the Clerk of the Council that they may be ready for the service of the Council and the Committee upon all occasions. [*Col. Papers, Vol. XLIII., No.* 162, *and Col. Entry Bk., Vol. CVI., p.* 107.]

Dec. 6. **1210.** His Majesty's Commission appointing Thomas Lord Culpeper to the office of our Lieutenant and Governor-General of Virginia during life, with all its rights, members, and appurtenances whatsoever. 14 *pp.* [*Col. Entry Bk., Vol. LXXX., pp.* 313–326.]

Another copy is entered in *Col. Entry Bk., Vol. XCIX., pp.* 1–14, with a marginal note that this Commission is made void by a Commission entered in this book, dated 27th January 1681–2.

Dec. 6. **1211.** Royal Instructions to Thomas, Lord Culpeper, Governor of Virginia. These are contained in seventy-two separate articles and have, in marginal notes, "an account of his Lordship's compliance therewith." [These notes were made by Lord Culpeper two years later, as appears by the original instructions signed by the King with Lord Culpeper's original notes in his own handwriting, dated 12th December 1681.]

The Instructions contain a list of the Council, viz. :—

Sir Henry Chicheley, Lieutenant-Governor,
Colonel Nathaniel Bacon,
„ Daniel Parks,
„ Ralph Wormley,
Major Richard Lee,
Colonel Joseph Bridger
Henry Meese,
Colonel Thomas Swann,
„ Robert Smith,
„ Nicholas Spencer,
„ Rowland Place,
„ Austin Warner,
Major-General Custis,
Francis Leigh,

and among other points, order the salaries of members of Assembly to be cut down. [*Col. Entry Bk., Vol. LXXX., pp.* 326–356, *and Vol. XCIX., pp.* 19–52. (*Without marginal notes.*)]

Dec. 6. **1212.** Minute of Lords of Trade and Plantations. As to the lodging the papers concerning trade and plantations in their own office, instead of in that of the Privy Council. [*Col. Papers, Vol. XLIII., No.* 163.]

Dec. 7. Whitehall. **1213.** Additional Instruction to Thomas Lord Culpeper, Governor of Virginia. To forbear the publication of his additional Commission, dated 6th December instant, for six months after his arrival in Virginia, if he shall so think fit. [*Col. Entry Bk., Vol. LXXX., p.* 404, *and Vol. XCIX., p.* 2.]

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Dec. 8. Whitehall. **1214.** William Blathwayt to the Lord Chancellor. Has compared the three Acts, viz., for naturalization, for raising a public revenue, and of general pardon and oblivion in Virginia, as they are engrossed on parchment, and finds them to agree with the originals lying in the Council Office for Trade and Foreign Plantations. [*Col. Papers, Vol. XLIII., No.* 164.]

Dec. 8. Whitehall. **1215.** The King's Warrant to Lord Culpeper to assent to the Acts of Pardon and Oblivion, the Act of Naturalization, and the Act of Public Revenue for Virginia. [*Col. Papers, Vol. XLIII., No.* 165, *and Col. Entry Bks., Vol. LXXX., pp.* 395–6, *Vol. XIX. p.* 17, *and Vol. LXXXVII., pp.* 1–29. *Copies of the Acts follow in the last named.*]

Dec. 10. **1216.** Warrant to His Majesty's Officers of the Ordnance to deliver to Thomas Lord Culpeper, Governor of Virginia, or his substitute, two flags for His Majesty's forts in Virginia. [*Dom. Entry Bk., Chas. II., Vol. XXIX., p.* 344.]

Dec. 10. Whitehall. **1217.** Order of the King in Council, that in case Lord Culpeper do not go on board the Oxford frigate now lying in the Downs on Friday evening next or before that time, said frigate be then directed to come into the river Thames on Saturday morning next without fail or further delay. [*Col. Entry Bk., Vol. LXXX., p.* 375.]

Dec. 10. Whitehall. **1218.** Order of the Privy Council. For the lodgment of the papers relating to Trade and Plantations in the office of the committee for the same. [*Col. Entry Bk., Vol. XCVII., p.* 74.]

Dec. 11. Plantation Office. **1219.** [Sir Robert Southwell] to Mr. Guy. The complaint of the farmers of the 4½ per cent. against an Act made in Barbadoes to the prejudice of that revenue having been referred to Lords of Trade and Plantations (*see ante, No.* 1023), letters were sent by His Majesty to Sir Jonathan Atkins for the remedy of inconveniences that might arise. Their Lordships wishing to give the Lords of the Treasury the information come to their hands, transmit extract of a letter from Governor Atkins, by which it appears that such care had been taken by hindering the execution of the Act complained of by the farmers that no detriment had accrued to His Majesty's revenue by it. *Draft with corrections.* 1 *p.* [*Col. Papers, Vol. XLIII., No.* 166.]

Dec. 12. Whitehall. **1220.** Order of the King in Council. Report of Lords of Trade and Plantations, setting forth the great inconveniences to which the Government of His Majesty's Plantations hath been subjected in the matter of public offices, and therefore presenting their opinions that a full inspection be made into all public offices of trust which are under His Majesty's immediate Government in America. Ordered, That the Lords of Trade and Plantations make a full inspection into all the said public offices and places of trust, and distinguish which may be fitly left to the disposal of the

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Governor of each respective Plantation, from such as may be more proper for His Majesty to grant by his especial orders. [*Col. Entry Bk., Vol. XCVII., pp.* 71, 72.]

Dec. 12. **1221.** Order of the King in Council. To enforce the recommendations of the Lords of Trade and Plantations respecting the correspondence of Governors (*ante, No.* 1182). 1½ *pp.* [*Col. Papers, Vol. XLIII., No.* 167, *and Col. Entry Bk., Vol. XCVII., pp.* 72–74.]

Dec. 12. **1222.** Order of the King in Council. For an inspection of offices in the different plantations (*see ante, No.* 1183). [*Col. Papers, Vol. XLIII., No.* 168, *and Col. Entry Bk., Vol. XCVII., p.* 71.]

Dec. 12. Whitehall. **1223.** Order of the King in Council. On the following representation of the Lords of Trade and Plantations. The Lord Privy Seal having presented to the Lords of Trade and Plantations a Bill granting to John Bindloss the posts of Clerk of the Crown and Peace and Clerk of the Markets and Fairs in the Island of Jamaica, their Lordships objected, (1) That by this Bill a plurality of offices of different nature is granted to one person. (2) That the said offices are granted to him for life. (3) That it is not convenient for His Majesty's service that the said offices should be executed by deputies when the patentee resides in England. Lord Carlisle's instructions forbid him to permit any person to execute more offices than one by deputy. Their Lordships are the more confirmed in their opinion, as they learn that the received practice of the Island is that the Custos Rotulorum of each several district usually appoints the Clerk of the Peace for that district, which appears a better arrangement than that the offices should be granted to one person, who cannot so well execute so great a trust. Ordered, That the Earl of Anglesey, Lord Privy Seal, take care that this Bill do not pass the Privy Seal. [*Col. Entry Bk., Vol. XXIX., p.* 325.]

Dec. 12. Whitehall. **1224.** Order of the King in Council. Report of Committee for Trade and Plantations (*see ante, No.* 1205) on petition of Bartholomew Price, Administrator to the late Lieutenant-Governor Jeffreys, in reference to the rival claims of Mrs. Jeffreys and Lady Berkeley, to a sum of 300*l.* due for salary to the late Governor of Virginia. Ordered, That Alderman Jeffreys, in whose hands said money remains, do pay the same to Mrs. Jeffreys, subject to the condition laid down in the above report of 4th December. [*Col. Entry Bk., Vol. LXXX., pp.* 371, 372.]

Dec. 15. Hartford. **1225.** Commission to William Harris from the Governor and Council of Connecticut. Empowering him to appear on behalf of the Province and prove its title to Narragansett. *Orignal. Signed,* William Leete, Governor. *Sealed and countersigned by* John Allyn, Secretary. *Endorsed,* Rec[d] "6 Jan. '80." [*Col. Papers, Vol. XLIII., No.* 169.]

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Dec. 15. Hartford. **1226.** Instructions for Mr. William Harris, the representative of Connecticut. He is to take the first opportunity to proceed for England, and on his arrival there to acquaint His Majesty that he is empowered to appear on behalf of Connecticut, to repair to the best counsel learned in the law for help and advice, and to use his utmost endeavour by petition or otherwise, to obtain such a settlement as may effectually prohibit the Rhode Islanders and others from giving molestation in the exercise of their government. If his copy of the charter is not sufficient, he is to repair to Mr. James Porter of London, with whom Governor Winthrop left the exemplification of the charter, and who is hereby ordered to deliver it, and when he has done with it he is to leave it with Mr. William Whitting of London, who is hereby desired to keep it till further order. He is to give them intelligence of his progress from time to time, and to make the best dispatch. *Signed*, John Allyn, Secretary. *Endorsed*, "Recd. 6 Jan. 1680." 1 *p.* [*Col. Papers, Vol. XLIII., No.* 170.]

Dec. 15. Whitehall. **1227.** Journal of Lords of Trade and Plantations. Lord Carlisle's letters of 15th, 17th, 24th September (*ante, Nos.* 1118, 1119, 1122, 1129), with their enclosures read, after which Sir Thomas Lynch, Lord Vaughan, and Sir Francis Watson were called in, and the two first gave an account of what they know of the Government of Jamaica since the Restoration, and during their own tenure thereof. They were then desired by the Committee to put the same in writing, and attend the meeting on Monday next therewith. 2½ *pp.* [*Col. Entry Bk., Vol. CVI., pp.* 107–110.]

Dec. 15. Council Chamber. **1228.** Mr. Blathwayt to Lord Vaughan and Sir Thomas Lynch. Requesting statement in writing of whatever they may know of the rights, privileges, and usages claimed by the inhabitants and Assembly of Jamaica, in relation to their laws and methods of Government, particularly in the matter of disposing and accounting for the revenue, with any other matters that may have been suggested to them at their last examination before the Committee. Also bidding them attend the Lords of Trade and Plantations with this report on Monday morning next. *Draft.* [*Col. Papers, Vol. XLIII., No.* 171.]

Dec. 16. **1229.** Minutes of the Council of Barbadoes. Ordered, That Henry Walrond, John Witham, Richard Howell, and Edwyn Stede, be a Committee to examine the rules of the High Court of Chancery, the fees taken by the Clerk or Registrar and Examiner, and the Sergeant-at-Arms, and report to his Excellency and Council what they find necessary to be altered, added, diminished, or confirmed. [*Col. Entry Bk., Vol. XI., pp.* 304, 305.]

Dec. 16. **1230.** Journal of Assembly of Barbadoes. A Bill of habeas corpus, presented by Richard Seawell, passed unanimously.

Dec. 17. An Act for destroying monkeys to lie under consideration till next sitting. An Act for speedy remedy in distresses, returned from his Excellency and Council with amendments,

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referred for consideration. Adjourned to 20th January next. [*Col. Entry Bk., Vol. XIII., pp.* 371, 372.]

Dec. 17. Whitehall. **1231.** Order of the King in Council. Lord Culpeper having failed to go on board the Oxford frigate at the time appointed by an Order of 10th instant, His Majesty is pleased to direct one of his Principal Secretaries of State to signify by letter to the Lord Culpeper the high displeasure His Majesty hath conceived at his delay and neglect of duty, and that his royal intentions are to appoint another Governor for Virginia unless he repair without further delay on board the Oxford frigate as soon as the same returns to the Downs, the charge of pilotage which Lord Culpeper has occasioned to be deducted out of his salary. [*Col. Entry Bk., Vol. LXXX., pp.* 375, 376.]

Dec. 17. Whitehall. **1232.** Order of the Privy Council. That the Commissioners of the Admiralty give directions to the Captain of the Oxford frigate to return forthwith with his ship to the Downs, there to receive the Lord Culpeper on board in order to his voyage to Virginia. [*Col. Entry Bk., Vol. LXXX., p.* 376.]

Dec. 17. Whitehall. **1233.** Lords Proprietors of Carolina to Governor and Council of Ashley River. By the ship that carries this letter several foreign Protestant families go to Carolina to settle, whom we recommend to your care, and desire may be so treated as to encourage others to follow them. They are to have the quantities of land appointed in our letter of 19th May last (*ante, No.* 992), whereof we now send a duplicate. Pray let their land be "run" out to them with the least possible delay. Among them there are many well skilled in the making of wine, oil, and silk. We hope the English will learn of them. We are informed that Oyster Point is not only a more convenient place for the building of a town than that pitched on by the first settlers, but that the people's inclinations tend thither. "Wherefore we think fit to let you know that the Oyster Point is the place we do appoint for the port-town, of which you are to take notice and call it Charlestown, and order the meetings of the Council to be there held, and the Secretary's, Registrar's, and Surveyor's offices to be kept within that town. And you are to take care to lay out the streets broad and in straight lines, and that in your grant of the town-lots you do bound everyone's land towards the streets in an even line, and suffer no one to encroach with his buildings upon the streets, whereby to make them narrower than they were first designed."

We have granted to Mr. Réné Petit and Jacob Guérard each a manor of 4,000 acres. You are to pass their respective grants as soon as you shall be desired either by them or their attorneys, and we wish you to give them all the assistance that you can in the choice of land suitable for the commodity which they intend to plant. 1½ *p. Subscribed,* "Per the Richmond frigate, Capt. Dunbar Commanding." Duplicate sent by Captain Comings, 17th May 1680. [*Col. Entry Bk., Vol. XX., pp.* 143, 144.]

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Dec. 18. **1234.** Sir Thomas Lynch to Lords of Trade and Plantations. The Report called for on 15th December (*see ante, No.* 1228), headed, "A brief account of the Government of Jamaica since His Majesty's Restauration." In 1661 Colonel Doyley had a commission to govern, and having disbanded the army, to erect a civil government, and to act by advice of an elected Council. This government lasted about 8 or 10 months. In 1662 Lord Windsor succeeded. He carried over a proclamation to give 30 acres to all settlers, together with freedom and denizenation to them as natives of England. He likewise was empowered to call an Assembly and enact laws not repugnant to the law of England, to which the government of Jamaica was to be assimilated. He nominated his Council. Sir Charles Littleton succeeded Lord Windsor (who stayed about two months only), and called the first Assembly that made a body of laws, with an Act for raising money which was received by a Collector of their own, and never accounted for in England. He nominated a Council of about twelve members and governed about 20 months, leaving Sir Thomas Lynch as President of the Council to administer the government pending Sir Thomas Modyford's arrival. In May 1663 Modyford came with commission and instructions to erect judicatures, call Assemblies, to make laws that were to be in force two years and no longer unless approved by the King, *after the manner of the Windward Islands*, to assimilate the laws to those of England, and respect liberty of person and property according to the law of England. He had a Council like Sir C. Littleton's, and called an Assembly that re-enacted and enlarged his laws, and raised revenue by an impost on strong liquors that was called the King's, for the services in the Island named in the Act. These laws were sent home, but not being returned approved were continued by him to the end of his government by Order in Council. The people obeyed them readily enough, treating them as made by themselves rather than revived by the Council. "For that Governor had much more power than his successors, and being well supported in England, and the Colony young and poor, nobody questioned anything." In 1670 Sir Thomas Lynch came with the same commission and title of Commander-in-Chief, and with instructions to the same purpose, and to encourage the Colony. He called an Assembly soon after his arrival that altered and enlarged Modyford's laws, passed the Act of Revenue to the King as indefinite [perpetual] for the Island's services named in the Act. The revenue was received by Collectors nominated by him and approved by the Council. Two years later these laws, not being confirmed, were again re-enacted by the Assembly; the revenue was then made for two years; all officers to account to the Governor and Council; and the Assembly, or any individual thereof, might see that the money was employed to needful and public uses. In June 1674 Lord Vaughan arrived. His Council was named in his commission, whereby also he was directed to call an Assembly according to the custom of the Island, to be deemed the people's representatives, and to make laws for the preservation of property and encouragement of planting. He

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immediately called an Assembly which passed all the former laws, which, excepting the Act of Revenue, were sent home for confirmation. These not being returned at the two years' end, he called another Assembly and repassed the same laws. But the Act of Revenue Lord Vaughan rejected, so he and the Island were for a year without revenue. About two years ago Lord Carlisle was sent Governor with Lord Vaughan's first laws, and an Act for a perpetual revenue on the English model, which Act (as I have heard) was not to be examined by the Jamaica Council but passed by the Assembly entirely. No Assembly was to be called except by order from England or on extraordinary emergency, and no Assembly to deliberate on new laws or amendments, but such laws to be framed by the Council there, remitted to His Majesty, and, if returned with his approbation, to be passed by the General Assembly after the manner of Ireland. This they have found grievous and inconvenient, and have addressed Lord Carlisle to intercede with His Majesty to change these orders, which, as I hear, His Majesty, on report of the Committee, has not consented to do. I hear also in discourse that they will not give their consent to Acts which they have not debated, their reason, so far as I can gather, being:—1. That being English they think they have a right to be governed as such, and to have their liberties and properties secured by the laws of England, or others of their own making. 2. They believe that the King, in the proclamation brought over by Lord Windsor, granted them freedom, denizenation, and encouragement to transplant. 3. The King has declared by his several commissions that they shall be so governed, which commissions are recorded, and the people have for 16 or 17 years been governed by the laws of England and of their own making. 4. All other colonies have, and always have had, Assemblies and power to originate laws. 5. The Irish system is tedious from the distance between Jamaica and England, and the frequent changes of local interest. 6. The Irish system (they say) was desired by the English to support them against the Irish, but in Jamaica they are all English. 7. They fear the rumours of such a change may drive settlers and trade from the Island. 8. If Assemblies have been constituted in all other colonies from their first settlement as a government most like that of England, they hope that an exception may not be made in their prejudice. If particular people have offended, let them suffer and not the Colony. 9. They hope the King will consider that his interests and those of trade are bound up with theirs, for the burden of improvement and defence lies on the planters, and agreeable laws will make them bear it. Further considerations. The Assembly will probably reject the laws offered to them, yet the need for revenue is urgent; the Council may join the Governor to order the laws to be continued, but I verily believe that they will not continue the Revenue Bill, for they think that belongs to the Assembly. If they do it, it will not be without process, and I doubt the Judges would quit and the juries give constantly against the officers. It would be

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the same, or worse, if an order to that effect were sent from England, and it would give strange umbrage to the rest of the colonies, which are too much discouraged already by low prices and French competition. 8 *pp. Inscribed*, "Recd. from Sir Tho. Lynch the 20 of Dec. 1679. Read at the Committee of Plantations, 22 Dec. 1679." [*Col. Papers, Vol. XLIII., No.* 172.]

Dec. 18. Nevis. **1235.** Governor Stapleton to Lords of Trade and Plantations. After long waiting I have had conference with the French General upon the grievances of British subjects. We had several debates upon St. Christopher's, personally, in writing, and by officers sent to and fro between us—all to little or no purpose. Particulars are annexed: my demands, his answer, and some frivolous demands of his made only to say something, and my reply to his answer. You will judge of their unjust delaying of right contrary to the law of nations and the Articles of Breda, of their obstructing His Majesty's peaceable enjoyment of his sovereignty and property in one half of the salt ponds and the lands belonging thereunto; referring still the decision, as well as that respecting Brimstone Hill, to their Majesties. Half of Brimstone Hill and the land it occupies has been offered to them and never denied, but they will not take it, and insist that the question shall be referred, because they will not part with half of the salt ponds, lands, and bays, which is at least 3,000 acres in all, besides the convenience of the bays, which are the very best in Nevis or St. Christopher's for careening of vessels. Now all Brimstone Hill is but eight acres. Having laid before you the heads of my demands, of which some might have been relinquished had we descended to particulars such as that of the ordnance and reparation of damages, I will not repeat more on this head. I venture to suggest that if any treaty be on foot concerning these Islands that something may be offered to commute or buy the French parts of St. Christopher's. They might be exchanged against Montserrat, which is next to them. St. Christopher's and Nevis being so close together could maintain so numerous a body of men that no enemy of usual strength from Europe could in any probability take either, certainly no force that the French possess in these parts. On the other hand we must never part with the English part of St. Christopher's, for then they would have a body of men that could take Nevis and all the rest of the Leeward Islands. I beg your Lordships to believe that I suggest this in the public interest only. I and some of my friends have plantations and sugar works in Montserrat so well provided with conveniences, such as waterworks, that we could not find the like in any French ground if the proposed exchange were made. I presume to speak with the true sense that we and the French can never cordially agree in St. Christopher's, and that the possession of the French therein means, upon the least breach or rupture, the loss of our portion, and for aught I know of all the other islands, unless His Majesty like the French King send considerable men-of-war here every year. Notwithstanding the return of the Vice-Admiral of

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France they have four men-of-war here and expect seven more. After they have left the French General at Martinique they go to Leeward to demand satisfaction of the Spaniards for the capture of one of their corvettes. I humbly pray that if any ship of war be sent hither it be not a ketch, which cannot be of any credit to the nation. I have sent the Deptford, ketch, to Surinam, to transport English subjects, or as many of them as she can carry, to Antigua, for they are in danger of being cut off by the Indians as some have been already. I thought this more tending to the King's service than her waiting here. "Recd. 9th and read 19 Feb. 1679–80." 3 *pp.* [*Col. Papers, Vol. XLIII., No.* 173, *and Col. Entry Bk., Vol. XLVI., p.* 412.] *Annexed,*

1235. I. Demands made by Colonel William Stapleton of Comte de Blenac. The claims made are:—(1) for the restitution of all parts of St. Christopher's possessed by British subjects in or before the year 1665, particularly half of the salt ponds now in possession of the French; (2) restoration of many dwellings given up by surprise; (3) satisfaction for ravages of the French since the Peace of Breda, 1667, destruction of churches, houses, &c.; (4) restoration of guns, 39 in number, captured in the fort; (5, 6, 7) restoration of negroes taken by the French; (8) restoration of a ship, the William Edward, and cargo belonging to two merchants of St. Christopher's; (9) satisfaction for obstruction in transport of English goods, and provision for freedom of roads and harbours in future.

1235. II. Stapleton's demands translated into French, and refuted in parallel columns, also in French. At the close are Blenac's counter demands or complaints, eight in number and signed. Dated 6th December [26th November O. S.] 1679. 7½ *pp.*

1235. III. Blenac's replies translated into English and refuted by Stapleton in parallel columns. Of these answers some are "utterly denied," others "in no way satisfactory." A note at the foot points out that "in the French roads they would cunningly surmise and conclude the salt-pond roads which are as to situation between Cayon and Pentecost River." Dated 28th November 1679. 2 *pp.*

1235. IV. Duplicate of No. III.

1235. V. Blenac's counter complaints translated into English and answered by Stapleton in parallel columns. A postscript desiring Blenac, if he decline the observation of former agreements respecting highways and roads, to publish the fact. Dated 28th November 1679.

1235. VI. Duplicate of foregoing. *Subscribed,* Recorded in the Secretary's office for this Island, St. Christopher's, 1 Dec. 1679.

1235. VII. "Form of a negotiation sent by the French General but refused by Colonel Stapleton." *French,* with comments scrawled by Stapleton in English over the margin. Undated and unsigned.

1679.

1235. VIII. Project of negotiation sent by Colonel Stapleton to Blenac, which the latter refused to sign. *Signed*, Wm. Stapleton. "Recd. 3 March 1679–80." *Endorsed*, ... " did send signed to the French generall which he refused to signe."

1235. IX. Duplicate of the foregoing, dated by error the 1st Decr. [*Col. Papers, Vol. XLIII., Nos.* 173 I.–IX.]

Dec. 19. Whitehall. **1236.** Order of the King in Council. For the arrest of John Culpeper for assuming the title of Collector of His Majesty's Customs in Carolina, and other proceedings in a rebellion contrived by him and Richard Forster. The said John Culpeper having since come to England being now upon his return back, the officers of the King's ships in the Downs are charged to search all vessels bound for Virginia, and the Custom House officials to do the same in the Western ports. *Copy.* 2 *pp.* [*Col. Papers, Vol. XLIII., No.* 174.]

Dec. 21. Whitehall. **1237.** Order of the King in Council. Approving report of the Lords of Trade and Plantations of 4th December (*see ante, No.* 1206) on the question of Mounthope, and ordering the preparation of a letter in accordance therewith to the General Court of New Plymouth for the Royal signature. 2 *pp.* [*Col. Entry Bk., Vol. LXI., pp.* 15–17.]

Dec. 22. Whitehall. **1238.** Journal of Lords of Trade and Plantations. The paper delivered by Sir Thomas Lynch on Jamaica (*ante, No.* 1234) read, and also a proclamation published by Lord Windsor in 1661, encouraging people to settle on the Island with promise of the same privileges to all intents and purposes as of any free-born subjects of England. The proclamation referred to Sir Charles Littleton for verification, who remembers that such an one was published in Jamaica. Agreed that Lord Carlisle be directed to give full particulars as to the quit rents, the area of the Island patented, manured, and uncultivated, and the price of Crown lands, and also be ordered in very pressing terms to answer the several heads of enquiry addressed to him many months before.

The Jamaica Act of Revenue read and certain points at variance with the laws of England referred to the Attorney-General. The Jamaica Militia Bill considered, and the Attorney-General directed to explain the clause which has given alarm to the Jamaica Assembly, inasmuch as it gives the Governor no greater powers than those vested in the King by Acts of Parliament in England. Lord Vaughan's answer touching the Government of Jamaica (*see next abstract*) read, and his Lordship and Sir Thomas Lynch called in. Agreed to summon certain Jamaica merchants named by them to attend the Committee, viz., Mr. Charles Modyford, Mr. Waterhouse, Thomas Duck, Andrew Orgill, Mr. Potts, Alderman Beck, and Sir Francis Chaplin. The arrears of pay due to the two foot companies in Jamaica, and the injuries inflicted by Spaniards on English ships carrying logwood and cocoa, also considered. 4 *pp.* [*Col. Entry Bk., Vol. CVI., pp.* 111–114.]

1679.
Dec. 22. **1239.** Lord Vaughan to the Lords of Trade and Plantations. Report on the Government of Jamaica called for on the 15th (*see ante, No.* 1228). Jamaica seems to differ from the other plantations in that the planters have no privileges granted to them by Letters Patent, as all other Colonies had in their infancy. The King found it an acquisition to England on his restoration. *This Report confirms that of Sir Thomas Lynch* (*see ante, No.* 1234) *in all particulars down to Lord Vaughan's own tenure of the government.* When Lord Vaughan succeeded there was this difference in his commission ; that whereas the laws passed by other Governors were to continue for two years and no longer unless confirmed by the King, the laws passed by him were to continue two years unless the King signified his pleasure to the contrary. Lord Vaughan confirms Sir Thomas Lynch also in respect of the general feeling on the question in Jamaica, but will not presume to decide such high matters as the rights that Englishmen may lawfully claim in places acquired by conquest. 2 *pp. Inscribed,* "Recd. 22 Dec. 1679." *Signed.* [*Col. Papers, Vol. XLIII., No.* 175.]

Dec. 22. Council Chamber. **1240.** Recommendation of the Lords of Trade and Plantations. That the Attorney-General be desired to amend the last clause of the Militia Act transmitted by the King to Jamaica, the Assembly of that Island having refused to pass it lest thereby they should make it lawful for the Governor to execute whatever instructions might be sent to him. Also, that the Attorney-General examine and report whether there be any law in England to hinder the levying on all ships that arrive in Jamaica of a certain proportion of powder per ton, according to existing laws and ancient usage in the Island. The clause of the Militia Act with its amendments is added. *Draft.* [*Col. Papers, Vol. XLIII., No.* 176.]

Dec. 22. Council Chamber. **1241.** Report of Lords of Trade and Plantations to the King. Respecting the capture of British ships laden with cacao and logwood by the Spaniards in the West Indies, and the case of Paul Abney, as reported in Lord Carlisle's letter of 15th September (*see ante, No.* 1118). We are of opinion that satisfaction should be demanded both of the Spanish ambassador here and by your Majesty's envoy at the court of Spain for these acts of violence, such being contrary not only to the American treaty concluded with that crown, but also to the rules of common friendship which your Majesty had particularly endeavoured to cultivate of late by discouraging all encroachment on Spanish dominions, as *e.g.*, the order respecting logwood cutting at Campeachy (*see ante, No.* 950). *Signed,* Anglesey, Worcester, J. Bridgwater, W. Coventry. *Endorsed,* Read in Council 28th Jan. 1679–80. [*Col. Papers, Vol. XLIII., No.* 177, *and Col. Entry Bk., Vol. XXIX., p.* 357.]

Dec. 22. Council Chamber. **1242.** William Blathwayt to [the Commissioners of Customs]. Requesting copies of all accounts relating to the trade exports and imports of Jamaica that have been or in the future may be

1679.

received from Lord Carlisle. *Draft.* [*Col. Papers, Vol. XLIII., No.* 178.]

Dec. 22. Council Chamber. **1243.** William Blathwayt to [the Secretary of the Treasury?]. Encloses extracts from Lord Carlisle's letters respecting the state of the two Foot Companies in Jamaica, whose pay is much in arrear, as also of the General Establishment which is in the like condition, for the consideration of the Lords Commissioners of the Treasury. *Draft.* [*Col. Papers, Vol. XLIII., No.* 179.]

Dec. 25. **1244.** Account of the Trade of the Colonies with each other from Michaelmas 1677 to Michaelmas 1678, drawn from the Returns in the Custom Houses. *Endorsed* with a note, that accounts have yet been received from New York and New England, while the returns of Virginia, Antigua, and others not within mentioned, are in the hands of the auditor. [*Col. Papers, Vol. XLIII., No.* 180.]

Dec. ? **1245.** Statement of the dispute between Lord Carlisle and the Assembly of Jamaica respecting the appointment of their Clerk. There are instances in the books at the Plantation office of the Assembly's appointing its own clerk and messenger. The dispute with Lord Carlisle arose in October 1679, and the Assembly appointed four members to discourse with him, who reported that Lord Carlisle affirmed it to be the King's right to appoint the Clerk of Assembly in all his dominions, and that he would not recede from it, but that he would take a place for the journals and papers to which the subject might resort for their perusal, and that if the Assembly desired the clerk should give security. Extract from Lord Carlisle's despatch of 24th September on the subject (*see ante, No.* 1129). [*Col. Papers, Vol. XLIII., No.* 181.]

Dec. ? **1246.** Representation to the Lords Proprietors of Carolina concerning the rebellion in that country. The rebellion was deliberately contrived, the chief promoters being influenced by ambition or disloyalty towards the Government. Captain Valentine Bird took up arms when he heard that a new collector of His Majesty's customs was coming out to take his place, he having been guilty of fraud in that department. George Durant was always a discontented man and was the most active of the rebels. Captains William Crawford, John Willoughby, Thomas Cullum, Lieutenant-Colonel John Jenkins, John Culpeper, Patrick White, Captain James Blount, Bonner, Slocum, and others took an active part in the rebellion. 8½ *pp. Endorsed,* To be made use of in further examinations [of John Culpeper?]. [*Col. Papers, Vol. XLIII., No.* 182.]

[1679.] **1247.** State of the Narragansett country as to Government and Propriety. Narragansett is country situated between Pocatack or Narragansett river and Narragansett bay on the borders of Rhode

1679.

Island and Connecticut. In 1644 the Sachems, owners of this country, surrendered themselves to the late King's protection; in 1662 letters patents of corporation were granted to Connecticut, whose bounds are described to be between Hudson's river and Narragansett bay, which include the Narragansett country. In 1663 another charter of corporation was granted to Rhode Island, likewise including the Narragansett country by a clause mentioning the consent of the Connecticut agents to the straightening of their bounds in favour of Rhode Island by the exclusion of the Narragansett country. Differences arising between the several colonies, Commissioners were sent over in 1665 with powers to hear and determine appeals and to decide disputes concerning boundaries, on whose arrival two sachems of the Narragansett country surrendered themselves to the King's protection, delivering the deed made in 1644; whereupon the Commissioners entered on the province in the King's name and called it the King's Province, ordering the Rhode Island magistrates to be justices of the peace till the King's pleasure should be further known. Matters rested thus till 1676, when the Indians making war on the English were totally destroyed, whereupon several persons of divers colonies laid claim to the propriety of several parcels of land in the Narragansett country, as purchased or conquered of the Indians, and Connecticut took the government on itself. On complaints made to the King in 1678 in behalf of Rhode Island, the King in February 167$\frac{8}{9}$ wrote letters to the several colonies commanding that all things relating to the King's province should be left in the same state they then were until further order, and that all pretenders to the soil or government should send over agents to make their right appear to the King. In answer to these letters the Joint Deputies of Massachusetts, Plymouth, and Connecticut replied that the Narragansett country is included in the charter of Connecticut and so regularly under that government, and represent the difficulties in making out the claim of private persons. A petition has been received from the inhabitants of the Narragansett country beseeching that an end may be put to the differences about the Government and complaining of the usages of both Connecticut and Rhode Island. It is therefore proposed that a Commission be sent of fit and impartial persons empowering them to examine and report on the respective titles of His Majesty and the two colonies. *The next clause is noted in the margin as "left out" in the fair copy.* All which will more at large appear by the letters and papers sent to Mr. Attorney and Solicitor-General by the Committee for Plantations and by their report thereon. *Draft, with a few corrections.* 3 *pp.* [*Col. Papers, Vol. XLIII., No.* 183.]

[1679.] **1248.** Letter of the King to New England appointing Daniel Whitfield, Collector of Customs, and directing the observance of the Navigation Acts. *Endorsed,* This letter was not sent nor the officer named in it. 3 *pp.* [*Col. Papers, Vol. XLIII., No.* 184.]

1679.

1249. Abstract of the records of all grants of land that have been made in South Carolina in the year 1679 in continuation of those abstracted in 1678 (*see ante, No.* 857).

Persons Names to whom granted.	Number of Acres.	In what County, Parish, or Township, or in what River or Creek situated.	Date of Grant.
Richard Medlin - -	200	- - -	4 June 1679.
Sir Peter Colleton - -	4,423	- - -	6 September 1679.
William Page - -	200	On Ashley River -	6 September 1679.
Mary Benson - -	270	On Ashley River -	8 March 1679.
Edward Mayoe - -	750	On Ashley River -	9 August 1679.
John Pristo, Samuel Trott, and Pryant (Perient) Trott - - -	770	On Stono River -	14 August 1679.
John Stephens - -	80	On Wappoe River -	2 April 1679.
Thomas Buttler - -	450	On Ashley River -	31 January 1679.
Benjamin Andrews and Elizabeth Brunt - -	270	On Ashley River -	14 June 1679.

[*Col. Entry Bk., Vol. XXIII., pp.* 1–4.]

[1679.] **1250.** Abstract of Commission and Instructions given to Lord Carlisle as Governor of Jamaica (*see ante, No.* 618), stating wherein they differ from those given to Lord Vaughan. [*Col. Papers, Vol. XLIII., No.* 185.]

1679. Barbadoes. **1251.** Account of the receipts of His Majesty's Customs for six months from July to December 1679, with the time of the ships entrings and time and place of their clearings. Certified by Edwyn Stede, Collector, and signed by Archibald Carmichael, Surveyor-General and Comptroller, 20th March 1680. *Endorsed,* "Rec 3 June 1680." [*Col. Entry Bk., Vol. IX., No.* 2.]

1680.

1680.
Jan. 5. Nevis.

1252. Governor Sir William Stapleton to Lords of Trade and Plantations. I enclose the Acts of the Island of Antigua. I understand that the map of the Island is miscarried; it was sent by one Wilkinson, Master of the Golden Lion, who ran away in the Downs having defrauded the Royal African Company of their right in his trust. I hope by this time it has reached you from him. I also enclose some particulars of the National Commissioners upon St. Christopher's importing particular grievances (*see No.* 1312). The French general made restitution of the ship demanded in my 8th article, so that may be obliterated. I beg for the King's orders as to what I am to do in respect of a French man-of-war which daringly or in gasconnade comes within range of our guns, and will not strike to the King's flag on our forts, or rather platforms, for they do not deserve that denomination. The French have orders to chase or sink all strange vessels that approach their Islands, as if they must not even be looked upon; so I am resolved to fire at them until I am otherwise ordered. They aim at nothing less than the capture of all British possession in these seas. *Holograph. Signed,* Wm. Stapleton. *Inscribed,* Received 3 March. Read 8 March. 1 *p.* [*Col. Papers, Vol. XLIV., No.* 1, *and Col. Entry Bk., Vol. LXVI., pp.* 414–416.]

Jan. 6. Newport.

1253. Governor Cranston, in the name of the General Assembly of Rhode Island, to the King. Prays that the King will not receive any information against them till they have opportunity to answer in their defence. Would have represented the disturbances and interruptions they have received from Connecticut in humble addresses, but are very much incapacitated to effect the same, by reason of the great ruins received by the late war, whereby they have been constrained to sit under the burthen of many annoyances for want of ability to present their grievances to the King. Had often offered to represent the matter of their difference with Connecticut, but they would not condescend thereunto; but now having received intimation from them of their intention to send an agent, but no account of the time when they would send, pray that they may have time and opportunity to make their reply. *Postscript.*—According to the King's letter of 9th July 1679 concerning verdicts of jury and judgments of an especial Court of Commissioners in favour of William Harris and petitioners, held at Providence on 3rd October 1677, against John Towers of Hingham, Mr. Gregory Dexter, Captain Arthur Fenner and the town of Providence, John Harrod, Roger Burlingham, Thomas Relph and Edmund Calverly, present their proceedings, which they would have sent in the ship that William Harris lately went for England in, but William

1680.

Harris was so secret and private in his voyage that he never came to them to know what they had done. *Endorsed*, "Recd. from the E. of Sunderland, 30 June 1680." 1 *p. With seal.* [*Col. Papers, Vol. XLIV., No.* 2, *and Col. Entry Bk., No. LXI., p.* 73.]

Jan. 9. Whitehall. **1254.** Order of the King in Council. After reading of Sir William Stapleton's letter of 6th October 1679 (*ante, No.* 1137) respecting the seizure of the ship William and Edward, Ordered, that Mr. Secretary Coventry represent the matter to the French envoy in England and direct the English envoy at the Court of France to demand speedy reparation for the same; also that Sir William Stapleton be ordered to use no means for recovery of the said ship till further order. 2 *pp.* [*Col. Entry Bk., Vol. XLVI., pp.* 404–406.]

Jan. 9. Surinamburgh. **1255.** Heinsius, Dutch Governor of Surinam, to Governor Sir William Stapleton. Respecting the English families left therein. Has received Stapleton's letter by the Deptford ketch, asking that the British subjects may be allowed to depart with goods and families, but having received no instructions from the States cannot allow more to go than Captain James [Aire] can carry in the Deptford. *Signed.* 1½ *pp. Dutch.* [*Col. Papers, Vol. XLIV., No.* 3.]

Jan 12. **1256.** Letter of the King to New Plymouth with a grant of Mounthope and promise of a new Charter, embodying the report of the Committee of 4th December 1679. *Signed*, H. Coventry. 3 *pp.* [*Col. Entry Bk., Vol. LX., p.* 315.]

Jan. 12. St. Mary Axe. **1257.** Alderman John Jeffreys to Madam Susan Jeffreys. Is ready to pay the money deposited by Colonel Bacon in his hands, but cannot part with it until His Majesty declare his pleasure whether it belongs to Lady Berkley, or to herself. If thought convenient will wait upon the Lords herein. [*Col. Papers, Vol. XLIV., No.* 4.]

Jan. 12. Plantations General. **1258.** An account of money paid out of the Exchequer for His Majesty's use in America,—

	£	s.	d.
To the Duke of York for New York -	1,000	0	0
To Sir Jonathan Atkins, Barbadoes -	800	0	0
To Sir William Stapleton, Leeward Islands	700	0	0
For two extra companies, Leeward Islands	2,778	10	8

for the officers and companies. Also 2,500*l.* has been paid for Colonel Herbert Jeffrey's regiment in Virginia, and other sums for Virginia, and for the arrears of Sir Tobias Bridge's regiment. *Signed*, R. O. Howard. Summary in the margin in the handwriting of William Blathwayt. 1 *p.* [*Col. Papers, Vol. XLIV., No.* 5.]

Jan. 13. Whitehall. **1259.** Journal of Lords of Trade and Plantations. Report prepared for prosecuting the Bermuda Company by a *Scire Facias* or *Quo Warranto*, upon their refusal to submit their differences to the decision of the Committee, read and approved.

1680.

Mrs. Jeffreys informed the Committee that having delivered the Order in Council of 12th December to Mr. Alderman Jeffreys, he had refused to take security of her for 300*l.* to be paid by him for salary due to her husband. Ordered, that she bring good security to the Council Board to answer Lady Berkeley's suit, whereupon Alderman Jeffreys will be ordered to pay her the money without taking security. Memorandum that this was done on the 16th instant.

Sir Francis Chaplin, Sir Charles Modyford, and other merchants and planters of Jamaica, attend according to summons, and being questioned, reply that the Island is full of fears, by reason both of a French fleet and of the change in the Government. Thereupon their Lordships explain the grounds for His Majesty's late orders as given in Report of 28th May last (*ante, No.* 1009). The merchants reply only that formerly no laws passed without the Governor's consent, and that they hope distinction will be made between Jamaica and Ireland; whatever hardships are put on them by the Governor they dare not complain, lest they should be ruined as many have been. The late vote concerning the revenue being read to them, the merchants say they cannot answer for the actions of other men. Being informed that by the King's last orders they were to be governed by the laws of England, they say that they believe the people will be satisfied with them if they cannot obtain their old form of Government. They then withdrew, and their Lordships agreed on their Report as to instructions to be given to Lord Carlisle (*see next abstract*).

Letter from Sir Jonathan Atkins of 16th October last in answer to their Lordships' of 15th July read, which their Lordships do not esteem satisfactory, and order a letter to be prepared to him signifying that their Lordships expect a better compliance with their desires, or that else they shall be obliged to appoint some other person to supply his place. He is likewise to be informed of the new rules for correspondence of Governors, Council, Secretaries, and Clerks of Assembly, and for the presence of ministers at Vestry meetings. The like instructions were sent to the other plantations. [*Col. Entry Bk., Vol. CVI., pp.* 114–118.]

Jan. 13. Council Chamber.

1260. Report of Lords of Trade and Plantations to the King in Council. We have received several letters from Lord Carlisle, dated September last, which show the Island to be in a very unsettled condition. But as the Assembly was prorogued till 28th October, at which time it was to consider your Majesty's orders of 28th May, we forbear to offer further advice till we hear news of its proceedings. For the present, therefore, we recommend only that Lord Carlisle be directed, through Sir Francis Watson (who is suddenly returning to Jamaica), to pass no law whatever for public revenue (except in case of rebellion or invasion only) otherwise than by the Act transmitted by your Majesty under the Great Seal, and in all other matters to obey the orders of 28th May. *Signed*, Anglesey, J. Bridgwater, Worcester, Henry Coventry, Fauconberg. "Read in Council 14 Jan., 1679–80."

1680.

Order in Council that Mr. Secretary Coventry do write to Lord Carlisle pursuant to this report. 14th January. [*Col. Papers, Vol. XLIV., No. 6, and Col. Entry Bk., Vol. XXIX., pp.* 342, 343.]

Jan. 14. **1261.** Lords of Trade and Plantations to Governor and Council of Jamaica. The growing importance of the Colonies requires that we, who are entrusted by the King with the care of the Plantations, should have frequent accounts by many hands of all that happens thereon. The King's commands therefore are, that you furnish us quarterly with a particular account and journal of all matters of importance, and especially of proposals and debates in Council, and of affairs concerning trade, such journal to be signed by the Governor and all the Councillors jointly, and a duplicate thereof to be sent by the next succeeding conveyance. You will take care, for the due execution of this order, that this letter be registered in the Council Book of your Government. *Signed*, Anglesey, Bath, Bridgewater, H. Coventry, T. Chicheley, Essex, L. Hyde, H. London, Sunderland, Winchester, Worcester. 2 *pp.* [*Col. Entry Bk., Vol. XXIX., pp.* 353–355.]

Jan. 14. The like letter to Governor and Council of Barbadoes. [*Col. Entry Bk., Vol. VI., pp.* 300–302.]

Jan. 14. The like to the Deputy Governor and Council of each of the Leeward Islands. [*Col. Entry Bk., Vol. XLVI., pp.* 406, 407.]

Jan. 14. The like to Governor and Council of Virginia. [*Col. Entry Bk., Vol. LXXX., p.* 400.]

Jan. 14. Council Chamber. **1262.** Lords of Trade and Plantations to the Secretary of Jamaica. Ordering him to furnish copies of abstracts of all important papers that come before him, and to enter this letter in the books of his office. *Signed*, Anglesey, J. Bridgewater, Hen. Capel, Cavendish, H. Coventry, Fauconberg, Finch, L. Hyde, H. London, H. Powle, Worcester. 1 *p.* [*Col. Entry Bk., Vol. XXIX., p.* 355.]

Jan. 14. The like letter to the Secretary of Barbadoes. [*Col. Entry Bk., Vol. VI., p.* 303.]

Jan. 14. The like to the Secretary of the Leeward Islands. [*Col. Entry Bk., Vol. XLVI., p.* 408.]

Jan. 14. The like to Secretary of Virginia. [*Col. Entry Bk., Vol. LXXX., p.* 400.]

Jan. 14. **1263.** Lords of Trade and Plantations to Clerk of Assembly of Jamaica. Ordering him to furnish copies of the Journals and Proceedings of the Assembly once a quarter, and enter this letter on the books of the Assembly. *Signed* as the preceding, with the addition of Lord Bath's signature. 1 *p.* [*Col. Entry Bk., Vol. XXIX., p.* 356.]

Jan. 14. The like letter to the Clerk of Assembly of Barbadoes. [*Col. Entry Bk., Vol. VI., p.* 304.]

1680.

Jan. 14. The like to the Clerks of Assembly in the Leeward Islands. [*Col. Entry Bk., Vol. XLVI., p.* 409.]

Jan. 14. The like to Clerk of Assembly of Virginia. [*Col. Entry Bk., Vol. LXXX., p.* 400.]

Jan. 14. Whitehall. Plantations General. **1264.** Order of the King in Council. On a motion made this day by the Lord Bishop of London concerning the state of the Church in His Majesty's Plantations:—Ordered that the Lords of Trade and Plantations signify His Majesty's pleasure unto His respective Governors in America, that every Minister within their government be one of the Vestry in his respective parish, and that no vestry be held without him except in case of sickness, or that after notice of a vestry summoned he absent himself. [*Col. Entry Bk., No. XCVII., p.* 75, *and Col. Papers, Vol. XLIV., No.* 6A.]

Jan. 14. Whitehall. **1265.** Order of the King in Council on Report of the Lords of Trade and Plantations. The despatches from Jamaica still show affairs therein to be in an unsettled state, but as the Assembly was to meet on the 28th October and consider the King's order of 28th May, the Lords defer all advice until they receive information of the Assembly's proceedings which are daily expected. Meanwhile they recommend that instructions be sent to Lord Carlisle by Sir Frances Watson, who is returning to Jamaica, to make no order whatsoever for raising public Revenue, except in case of rebellion and invasion only, otherwise than by the Act transmitted by His Majesty under the Great Seal, until the King's pleasure be further known. On all other points the orders of 28th May to be duly pursued. *Signed*, Anglesey, J. Bridgewater, Worcester, Fauconberg, Henry Coventry. *Ordered*, That Mr. Secretary Coventry do signify His Majesty's pleasure to Lord Carlisle pursuant to above Report. 1½ *pp.* [*Col. Entry Bk., Vol. XXIX., p.* 342.]

Jan. 15. **1266.** Sir Robert Southwell to [William Blathwayt]. In reply to the question of the Lords of Trade and Plantations respecting the inquiries sent over by Sir Thomas Warner to Barbadoes. About the month of March 1676 Sir Thomas Warner, Barrister of the Temple, came and told me that he had a purpose to go to Barbadoes and the Leeward Islands, and return as soon as he had despatched his business, and desired to know if he could be of service to me. I cannot well recollect whether I informed their Lordships, but I am sure that I acquainted Sir Joseph Williamson, then Secretary of State (who you know was not very attentive to the business of the Plantations), and represented to him that this gentleman, being the son of Sir Thomas Warner, who discovered those parts, seemed to speak very knowingly about them. Mr. Secretary bade me not omit that or any like occasion to engage such a man with correspondence, for that variety of information was valuable. Accordingly, in compliance with his request, I gave him some general queries for the better guidance of his observation on the 11th April, as will appear by the draft of my letter, which was copied by one of the clerks in the office. Con-

1680.

sidering how anxious their Lordships were for information, and how little was forthcoming, I thought that I did the King a service. I drew several queries, by Secretary Coventry's command, for Mr. Randolph, who was sent to New England, and his answers were valuable; but I have heard nothing from Sir Thomas Warner since he went, which I imputed to his caution for fear of offending Sir Jonathan Atkins, which it seems his inquiries did. *Signed.* 1½ *p.* [*Col. Papers, Vol. XLIV., No.* 7.]

Jan. 15. **1267.** Memorandum of Lords of Trade and Plantations. Sir Leoline Jenkins was this day added to the Committee. [*Col. Entry Bk., Vol. CVI., p.* 122.]

Jan. 16. **1268.** Order of the King in Council. On petition of Bartholomew Price, Administrator to Lieutenant-Governor Herbert Jeffreys, 300*l.* to be forthwith paid to said Price, he having given security to the Clerk of the Council for repayment of the same according to His Majesty's directions upon any future determination. [*Col. Entry Bk., Vol. LXXX. pp.* 399–400.]

Jan. 16. Whitehall. **1269.** Lords of Trade and Plantations to Governor Lord Carlisle. We have received your letters of 10th, 13th July, 13th August, and 15th, 17th, 24th September, and are sorry to learn from them the jealousy of the Assembly towards the new Government. We hope that by their meeting in October they may have more seriously reflected on their own interest and their duty to the King. We were not a little surprised to find the term of the Revenue Bill reduced to six months though "for His Majesty, his heirs and successors," the preamble settled by the Council here omitted, and other irregularities. As the Bill bears no marks of their benevolence it cannot deserve the Royal thanks. It is a matter of wonder, too, that the clause exempting Jamaica ships from all impositions should be retained therein, though omitted in the Act transmitted by the King, after much deliberation, and upon the advice of the Commissioners of Customs that no such distinctions should be drawn, but that either the shipping of England should be exempted, or the Jamaica shipping should be liable to the same payments. Nor again can we understand the imposition on French wines for six months when the importation thereof is inconsistent with existing Acts of Parliament. We have also considered the vote of the Assembly touching the rise, disposal, and manner of accounting for the revenue, but we can take no decision as to these exorbitant measures until we hear of the Assembly's action on the King's orders of 28th May, and can therefore convey to you by Sir Francis Watson no instructions except the following (*see ante, No.* 1260). As to the supply of powder and ammunition for which you ask, we have consulted your letters and the Commissioners of Ordnance thereupon, but finding that you have not given us the information as to the present state of the forts required by your instructions, we could not recommend further expense therein without fuller assurance of

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its necessity, especially since the return of Count d'Estrées's fleet to Europe. As to the request for fifty recruits to be sent to you we have read a report from the Deputy Commissary of Musters concerning the state of the two foot companies, by which it appears that no muster rolls from them have reached him since 1st January last, at which time, as well as at the two previous musters, the companies were complete. We therefore see no sufficient reason to send over more men. We have considered your representations of the great abuses and affronts that the Spaniards have put upon his subjects. We are laying the same before His Majesty for speedy satisfaction and redress, demanding not only that the logwood and cacao seized at sea may be restored, but that all English ships may for the future be permitted to pass without molestation with their lading of these commodities. We have long been sensible of your difficulties, both in relation to the subsistence of the two foot companies and the arrears of the Government, and have recommended the whole state thereof to the Commissioners of the Treasury. But we have not yet received any reply to the enquiries recommended by us nor any attention to the directions for correspondence between us that are prescribed by your instructions, and we cannot think that either your difficulties or your apprehension of coming dangers have been so great as to excuse you, nor have we required anything of you that is unfit to be known by us. We cannot think the length of time and expense of surveys sufficient reasons to hinder your compliance, and if, as you say, there are parishes without ministers and without registers, we are none the less anxious to receive account of them, that these defects may be the sooner supplied. We therefore not only refer you once more to our letter of 3rd May, but have ordered the heads of information as to the state of Jamaica in the Plantation Office and others of the same kind, to be extracted and sent to you for your better guidance in supplying us with the freshest estimates, accounts, and information. And we also desire the list of the general musters throughout the Island to be transmitted to us as they were by Sir Thomas Modyford. Such information is so essential to His Majesty's service that the King has ordered each Governor with his Council to keep a journal of all important matters, and to send it to us quarterly. A particular letter will give you fuller instructions. The Secretaries of the Colonies have also been ordered to send us such of the papers that pass through his hands as ought to come under their notice; and the Clerks of Assembly have likewise orders to furnish us with a journal of their proceedings. The Governors, however, are not hereby excused from corresponding with us as before ordered and furnishing full information. Moreover, occasion having risen over the appointment of a clerk of fairs and markets and a clerk of the peace in Jamaica, the King has ordered a thorough inspection of all offices in the Colonies, that he may be able to distinguish which should be filled by the Governor and which by himself. You will therefore furnish us with full particulars of all public offices and places of trust in your Government, stating by what authority, for what term and for

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what estate they are held, and whether it be expedient that the King or the Governor should fill it. We are further to inform you that no office in your Government may be disposed of for gain, but solely with reference to the qualification of the officer. We also expect from you full particulars of the quit-rents of Jamaica, how much of the land is patented, manured, or uncultivated, the price of lots, names of purchasers, &c. Lastly, we are to direct you, seeing that it is your special duty to take care of the Church, to order forthwith that every minister be one of the vestry of his parish; that no vestry, unless in case of his sickness, be held without him, and that no minister after vestry summoned shall absent himself. *Signed*, Anglesey, Sunderland, H. London, Worcester, J. Bridgewater, L. Hyde, Winchester, Essex, H. Coventry. 9 *pp.* [*Col. Entry Bk. Vol. XXIX., pp.* 344–353.]

Jan. 16. **1270.** Lords of Trade and Plantations to Governor Sir Jonathan Atkins. By your letter of 16th October last we learn the receipt of ours of 24th July, with another from His Majesty, the matter whereof, except in relation to the 4½ per cent. duty, you take no notice of. Nor do you mention the occasion of the delay to our packet, by naming the ship or otherwise, that we might be able to prevent the like inconvenience in the future. You have now a sufficient testimony by that formidable Act (as you think fit to call it) of the mischief that attends your concealing from us what we have continually demanded, and we could well wish that the confession of your error would produce a further amendment; but we have the less reason to hope for it since you continue to tell us that you know of no other Acts that are withheld except they be temporary Acts, made only for three or six months, while you cannot but remember our former letters wherein we most earnestly desired of you the transmission of all laws of what kind and duration soever, and that our last letter of 25th July not only shows the inconvenience of such temporary laws, but also provides against them, which might have obliged you to have sent us copies of them also. Besides we affirm to you that we have received none of later date than 2nd October 1678, though we are well informed that divers Assemblies have met and laws passed since that time. Indeed, it is not a little strange that, though you say you could give reasons for your action if you were nearer, yet at this distance you can give none at all. Again you tell us that it was not the practice to affix the seal to laws transmitted to England, though we gave you an instance in our last letter. Why the sealing should occasion the re-writing of the laws passes our comprehension, for it is easy to affix a seal by a ribbon or otherwise to any number of laws without writing them over again, as was done in the Act instanced above. You then renew your complaint about the queries given to Sir Thomas Warner, which you endeavour to object to as a great fault on our parts, but we will content ourselves to let you know that the matter is not truly represented by you, since neither were the same inquiries addressed to you, nor required particularly for Barbadoes. Your assurance that during your term of government

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the King's honour has been upheld, the Church, the Magistracy, the course of Judicature well cared for, the claimers of debts stopped, the Island well fortified, and the Militia in good order, depends only on your own word, which has already disappointed us, and leaves us only occasion to desire from you a proof in writing of this happy state of things in answers to the several heads of inquiry. While you are Governor we shall always consider you as such, and we shall be able, when you comply with our demands, to distinguish the statements of merchants from the more solid information which we have constantly required of you in vain You have also omitted to acquaint us with the reason of the Assembly's meeting and the names of the members, according to the orders given to you; but, to put an end to the style of controversy which you so studiously affect, we assure you that, unless henceforth we find in you a punctual compliance with our desires, we shall deem future correspondence with you impracticable, and shall be obliged to advise the King to appoint another Governor. Meanwhile we have to inform you that the King has given orders to the Governors, jointly with their Councils, to send home every quarter a journal of important occurrences, to the Clerks of Assembly to send their journals likewise, and to the Secretaries also to report as to the proceedings that come under their hands. The King has also required of us, in view of certain abuses, to hold an inspection of the various offices in your Colony to decide which shall be appointed by the Governor and which by himself, on which matter you will report. You will also take care that, in the interests of the Church, every minister shall henceforth be a member of his parish-vestry, and that, except in case of his sickness, no meeting of the vestry shall be held without him. *Signed*, Anglesey, Bath, Bridgwater, Essex, H. London, H. Powle, Sunderland, Winchester, Worcester. 7½ *pp.* [*Col. Entry Bk., Vol. VI., pp.* 305–313.]

[Jan. 16] **1271.** Petition of John Culpeper to the King in Council. That upon a complaint of Thomas Miller, and by order of the King in Council, he has been in custody of a messenger upwards of 20 days. Prays for his discharge, or that Miller may give security for the payment of the petitioner's charges if proved innocent. [*Col. Papers, Vol. XLIV., No.* 8.]

[Jan. ?] **1272.** Extract out of the Books of Jamaica, in the Plantation Office, of heads answered by Sir Thomas Modyford. A form for making Returns of Military force, Ordnance, Shipping, Revenue, Expenditure, and Land alienated. *Draft, with corrections in the Secretary's hand, whereof a copy was probably that enclosed to Lord Carlisle in letter of 16th January* (*ante, No.* 1269). 3½ *pp.* [*Col. Papers, Vol. XLIV., No.* 9.]

Jan. 17. Whitehall. **1273.** William Blathwayt to Mr. Guy. Transmitting an Act passed in Barbadoes for repeal of the 4½ per cent. duty, for the opinion of the Commissioners of the Treasury. *Copy.* [*Col. Papers, Vol. XLIV., No.* 10.]

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[Jan. 19.] **1274.** Petition of Thomas Miller to the Commissioners of the Treasury. Petitioner was appointed Collector of Customs in Albemarle County, Carolina, in 1677, and arrived there in July 1677, but in December following was seized, robbed of all his books and papers, and put in irons by the rebels under John Culpeper and Zachary Gilham. Subsequently he made his escape and arrived in England in December 1679, where he now is in great poverty. Prays that Culpeper and Gilham may be examined by the Council, petitioner having counsel assigned to him to prosecute, and that he and his deputy may have an allowance for their relief. 1 *p.* *Endorsed*, With a minute referring the petitioner to the Commissioners of Customs. *Signed*, Hen. Guy, dated 19th January 1659. [*Col. Papers, Vol. XLIV., No.* 11.]

Jan. 20. **1275.** Minutes of Council of Barbadoes. The Assembly being come Mr. Speaker represented a grievance to the town and port of St. Michael's, by the bringing in of ships upon the bar, laying them aground and then breaking them up, by means whereof the harbour is spoiled.

Jan. 21. Henry Walrond, John Witham, Richard Howell, and Edwyn Stede appointed a Committee to inspect the rules of the High Court of Chancery, and the fees of the officers, and to report and recommend to the Council thereon with all convenient speed. [*Col. Entry Bk., Vol. XI., pp.* 305 *and* 311.]

Jan. 20. **1276.** Journal of Assembly of Barbadoes. Debate on the Governor's proposed amendment on the Act about distresses for damage feasant. Reasons for disagreeing with the same. Petition of the gunners and matrosses for their salaries. The Governor asking from what fund they shall be paid, the Assembly answers that, failing the 4½ per cent. duty, a special levy be made for the purpose.

Jan. 21. Debate on the means of raising the above money. Ordered, that it be by levy of 2 lbs. of sugar per acre; the town to pay in proportion, that the Leeward fortifications may be finished. Act to this purport passed. [*Col. Entry Bk., Vol. XIII., pp.* 372–375.]

Jan. 21. Whitehall. Plantations General. **1277.** Order of the King in Council. On report of the Lords of Trade and Plantations that the Somers Islands Company resolve to submit to the determination of the law all differences respecting the said Company. *Ordered*, That Sir Creswell Levins, Attorney-General, bring a *quo warranto* or *scire facias* against the Company's charter pursuant to Order in Council of 12th November 1679. [*Col. Entry Bk., Vol. XVII., pp.* 83–84.]

Jan. 22. **1278.** Commissioners of Customs to Commissioners of Treasury. Report on petition of Thomas Miller [*ante, No.* 1274] recommending that it be granted. 2 *pp.* *Annexed*,

1278. I. Sworn statement. Account of the sums held in money and bonds by Thomas Miller at the time of his imprisonment by Culpeper. 1½ *pp.* 21st January 1679–80.

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1278. II. Presentment of the Commissioners of Customs concerning the proceedings of John Culpeper in robbing Thomas Miller of the sums specified in preceding paper. *Copy.* 1 *p.* [*Col. Papers, Vol. XLIV., Nos.* 12, 12 I., II.]

Jan. 23. Whitehall. **1279.** Lords of Trade and Plantations to Governor Sir William Stapleton. Your letters of 15th March, 1st and 18th June, 15th July, and 6th October received. We have submitted your plan for a fort at Nevis to the King, and advised him to give orders not only for the erection of one good fort in each Island, but also to contribute to the cost of the same out of the 4½ per cent. duty. We thought this the more necessary since the French King has refused to ratify the Treaty of Neutrality concluded by you. The King has accordingly ordered 1,500*l.* to be paid to you out of the 4½ per cent. duty. We also laid before the King your request for a frigate in time of peace and a squadron in time of war, but the King having ordered the Deptford ketch to attend you, no further directions can be given. We have received the King's orders to express to you his good liking of your proceedings to vindicate his Honour against the insolent behaviour of the French ship commanded by the Count de Sourdis. You are to assert his Honour with the same vigour in future. As to the seizure and confiscation of English sugars by the French, without reference to the National Commissioners, the King has ordered application to be made at the Court of France, and to the French ambassador here, for satisfaction and for immunity from such outrage in future. We notice however that, by the sentence of the French Judge, the seizure was made upon pretence that the goods had been brought in a Dutch ship from St. Eustatius to St. Christopher's. We therefore think it necessary for you to certify us whether any such foreign ship has so traded, and to prevent such irregularities in future. Your last letter of 6th October informs us of the seizure and confiscation of the ship William and Edward. The King has ordered application to be made to the French Court for satisfaction, and meanwhile you will take no forcible measures of reprisal. The King has ordered that each Governor with his Council shall keep a journal of occurrences, and transmit the same quarterly; also that the Secretary and Clerk of Assembly furnish us with reports likewise. Hitherto you have given us very satisfactory accounts, and we look for continuance thereof. The King has also ordered an inspection of all public offices in the Colonies to distinguish which should be granted by the King and which by the Governor. You will report to us fully on the subject, and dispose of no place for gain but with regard to merit only. You will also see that every minister is a member of his parish vestry, and that no vestry be held without him. We must bear testimony to Mr. Joseph Crispe's diligence and care in endeavouring to obtain the ratification of the Treaty of Neutrality. *Signed,* Anglesey, Albemarle, Bath, J. Bridgewater, Essex, L Hyde, Sunderland. 6 *pp.* [*Col. Entry Bk., Vol. XLVI., pp.* 398–404.]

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Jan. 23. Surinamburgh. **1280.** Heinsius, Dutch Governor of Surinam, to Governor Sir William Stapleton. Further respecting the departure of the English from Surinam, with particular reference to the case of Mr. Thomas Duncombe (*see following abstract*). ½ *p. Dutch.* [*Col. Papers, Vol. XLIV., No.* 13.]

(Jan. 23.) **1281.** Thomas Duncombe to [Governor Sir William Stapleton]. The arrival of the Deptford ketch brought us the good news of your care for us, and for the King's subjects in Surinam. Captain Aire, of the Deptford, and myself used all our diligence with the Dutch Governor and Council here to induce him to let the English go on paying their just debts, but they answered that, by a clause in the 5th Article of the last Treaty between the two nations, letters must first be received both from the States and from the King of England. Now that you have begun the good work I hope that you will procure a pass for us from the King. On second thoughts the Dutch Governor has permitted my wife to go with Captain Aire, and also fifty slaves, we being quite ruined in our plantation, and destitute of provisions for our slaves. I enclose a list of the King's subjects here, and on behalf of them all I thank you for your great care of us. *Signed.* 1 *p.*

On the back of the foregoing a further letter from Francis Bruninge to Sir William Stapleton. My humble and hearty thanks for your special care of me and your favour to my brother, John Bruninge. I have tried my utmost to leave Surinam in the ketch, but cannot prevail. I beg you to apprise the King of our condition if our liberty cannot be procured otherwise. ½ *p. In Duncombe's handwriting but signed,* Francis Bruninge. *Annexed,*

Jan. 23. 1281 I. "A list of the King's subjects now in Surinam, with the number of their slaves." Thirty-nine names, all of men, with the number of slaves belonging to each. 212 slaves in all. *Endorsed,* Recd. 26 April 1680. [*Col. Papers, Vol. XLIV., No.* 14, *and* 14 I.]

Jan. 28. Whitehall. **1282.** Order of the King in Council on a Report from the Lords of Trade and Plantations respecting the outrages committed on the English by the Spaniards, as reported in Lord Carlisle's letter of 15th September. *Ordered,* That representation be made to the Spanish ambassador here, and directions sent to the British envoy in Spain to demand satisfaction for these injuries, which are not only contrary to the rules of common friendship, but also to express articles of treaty. 2½ *pp.* [*Col. Entry Bk., Vol. XXIX., pp.* 360–362.]

Jan. 28. Whitehall. **1283.** Order of the King in Council. Referring the petition of John Ward to the Lords of Trade and Plantations; the petition being an appeal from the sentence given by the New York Assize Court in favour of the widow of John Winder, now married to John Palmer, whom he had sued for a debt of her former husband's. [*Col. Entry Bk., Vol. LXVIII., pp.* 45, 46.]

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Feb. 4. **1284.** Petition of John Crown to the King. As Mounthope has been bestowed on Plymouth, prays for a tract of land called Boston neck, or such a number of acres of the Narragansett Country (which is His Majesty's right by ancient donation of the Indians) as may afford his father, family, and himself a competent subsistence. *Underwritten* is a reference dated 4th February $16\frac{7}{8}\frac{8}{0}$ to the Committee for Trade and Plantations. *Signed*, Sunderland. 1 *p.* [*Col. Papers, Vol. XLIV., No.* 15, *and Col. Entry Bk., Vol. LXI., pp.* 35–37.]

Entry of the above petition and reference. [*Dom. Entry Bk., Vol. LV., p.* 63.]

Feb 4. Whitehall. **1285.** Order of the King in Council referring the examination of the seditious practices lately carried on in Carolina by John Culpeper and others to the Lords of Trade and Plantations, who are directed to meet for that purpose on Saturday next, 8th February. *Copy.* ½ *p.* [*Col. Papers, Vol. XLIV., No.* 16.]

[Feb. 4.] **1286.** Petition of William Hinton to the King. Petitioner has since 1667 spent much pains and 2,500*l.* in endeavouring the settlement of Newfoundland, encouraged thereby by His Majesty's repeated promises that he should have the Government when it should be established. The Colony will be ruined unless the Government be settled; and petitioner prays that the King's promise may be remembered when the Government is concluded. 1 *p. Endorsed*, "Recd. from Mr. Duppa 4 Feb. 1679." [*Col. Papers, Vol. XLIV., No.* 17.]

[Feb. 6.] **1287.** Petition of William Downing to the King. Praying for a settled Government for Newfoundland, since the West Country Adventurers, notwithstanding the suspension of their Charter by Order in Council, have inflicted great abuses and vexations on the inhabitants and forced them either to return to England or to request French protection. *Endorsed*, "Read in Council 6 Feb. 1679–80." [*Col. Papers, Vol. XLIV., No.* 18.]

Feb. 7. **1288.** Journal of Lords of Trade and Plantations. In pursuance of the enquiry into the business of the late rebellion in Carolina, the Earls of Shaftesbury and Craven, and Sir Peter Colleton were called in. Lord Shaftesbury promised to furnish their Lordships with a copy of the patent and a speedy answer to their circular letter and enquiries, and then narrated as follows. In 1677 the Lords Proprietors sent one Eastchurch to be their governor of Albemarle county, who staying sometime at Antigua deputed Mr. Miller, Collector of the King's Customs, to go and settle the country. Soon after his arrival the rebellion broke out. Miller is no sectary but is given to drink; the accusations of treason against him are spiteful merely. On his arrival he undertook to model the Parliament, which gave the people occasion to oppose and imprison him. Whereupon Mr. Durant, Captains Gilham and Culpeper agreed together to defraud the King of his Customs. Sir Richard Temple,

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one of the King's Commissioners of Customs being called in, declared that Culpeper had no authority to seize the King's Customs. Whereupon an account was read which Miller had delivered upon oath to the Commissioners of Customs. Culpeper replies that there was a lawful assembly set up by whose authority he acted, and that the people of Carolina agreed upon him as their collector after Miller's imprisonment, just as a collector had been appointed by the country after the death of Mr. Bland. The Lords Proprietors rejoin that the authority which appointed Culpeper collector was rebellious. Miller produces a paper (*see No.* 1290 I.) written in Culpeper's own hand forbidding all persons to meddle with the Customs. Whereon Culpeper says it was his proclamation and excepts against Miller and Hudson as traitors to the King. Messrs. Hudson, Summers, and Taylor being sworn depose that Culpeper abetted the rebellion and that all the Proprietors' deputies were imprisoned by the rebels, except one who joined them. After the examination of witnesses Culpeper desires that he may be tried in Carolina, and, if that may not be granted him, acknowledges the fact and begs His Majesty's pardon. The Lords Proprietors inform their Lordships that the country is now quiet, and propose that the King's money which was taken by the rebels shall be reimbursed by the offenders and not by a general tax upon the community. The Commissioners of Customs recommended that Culpeper be not pardoned till the King be satisfied for his Customs. Ordered that Captain Gilham, who is accused by Mr. Miller, attend on Monday next to be examined. [*Col. Entry Bk., Vol. CVI., pp.* 118–122.]

Feb. 7. Whitehall. **1289.** Report of Lords of Trade and Plantations to the King. We have heard the complaints of the Commissioners of Customs against John Culpeper, and are satisfied that he aided and abetted a rebellion in Carolina, whereby seven lawful magistrates were imprisoned, the Collector of Customs among them, and that he proclaimed himself collector. Culpeper confesses and prays for pardon, but if your Majesty should not show mercy to him he begs to be tried in Carolina. The Commissioners of Customs beseech your Majesty that no mercy be shown him unless he make good the 3,000*l.* which he took from the Customs. *Signed*, Anglesey, J. Bridgewater, H. Coventry, L. Hyde, Lauderdale, Worcester. *Copy.* 2 *pp.* [*Col. Papers, Vol. XLIV., No.* 19.]

Feb. 7. **1290.** Papers concerning the rebellion in Carolina read before the Committee of Trade and Plantations in the trial of John Culpeper aforesaid.

Remonstrance of the inhabitants of Paspatancke to all the rest of the county of Albemarle. A manifesto of the rebels to justify their violent proceedings. *Copy.* Certified by sworn statement of Edward Wade. *Inscribed*, "The Rebels' first paper, called a remonstrance, and Mr. Wade's testimony." Dated 3rd October 1677. 1½ *pp.*

1290. I. Declaration of John Culpeper to the inhabitants of County Albemarle against the authority of Captain

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Timothy Biggs. Dated 25th February 1678–79. *Copy.* Endorsed, "Culpeper's declaration against T. B. when T. B. was pulled down." *Scrap.*

1290. II. Affidavit of Henry Hudson giving information from Thomas Miller's arrival in July 1677 and of the course of the rebellion. *Subscribed,* "Jur. 31 die Februar. 1679 (1680) W. Mountagu." 1½ *pp.*

1290. III. Affidavit of John Taylor who was with Captain Timothy Biggs. *Subscribed* as the foregoing. 1¼ *pp.*

1290. IV. Affidavit of Thomas Miller, with his story of the rebellion. *Subscribed* as the foregoing. 2¾ *pp.* [*Col. Papers, Vol. XLIV., Nos.* 20, 20 I.–IV.]

Feb. 7. Nevis. **1291.** Governor Sir William Stapleton to Lords of Trade and Plantations. The Deptford ketch is returned from Surinam with 102 persons, blacks and whites, who are now in the Island of Antigua. The Dutch Governor will not permit any more to come without orders from the States, though the men are all clear from debt. I beg that you will move the King to obtain such orders, for they will be a great relief to the English at Surinam, of whom a list is herewith enclosed (*see No.* 1281 I.). The latter, together with the 102 already at Antigua, will add greatly to the settlement of that Island, which in three or four years will exceed any of the Leeward Islands and add proportionately to the King's revenue. I suppose the Dutch Governor's arguments to be a mere put-off, for I conceive that the instructions of the States mentioned in the 5th Article of the last Treaty were already sent by Mr. Cranfield when he went to Surinam as Commissioner to transport the English to Jamaica. This new Governor might be ignorant of it, or merely conceal it as an excuse for detaining the King's subjects. I therefore intend to write to him to search the records and to signify to him that the King my master is not obliged to procure a new order for every Governor that comes out. I ask you to note that he was ready to let them go if they left their land and stock for nothing or for less than their value. However, I beg you to send an order from the States General for the poor people are ready to starve there and exposed to be murthered by the heathen Indians. The Indians have got many of their black servants already and butchered several of the inhabitants, English and Dutch. *Holograph. Inscribed.* Received from Mr. Secretary Coventry, 26th April. Read 27th April 1680. 1 *p.* [*Col. Papers, Vol. XLIV., No.* 21, *and Col. Entry Bk., Vol. XLVI., pp.* 422, 423.]

Feb 8. **1292.** Sir P. Colleton to Mr. Blathwayt. Encloses a narrative of the proceedings at Albemarle as they have been made known to the Lords Proprietors by letters, informations, and persons from thence. *Encloses,*

1292 I. The case between Thomas Miller, Collector of the King's Customs, and Captain Zachariah Gilham, Culpeper, Durant, Crawford, and others, principal actors in the late disturbances of the Northern part of Carolina. 3 *pp.*

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Endorsed. Received from Sir P. Colleton, 9th February 1679–80. [*Col. Papers, Vol. XLIV., Nos.* 22, 22 I.]

[Feb. 11.] **1293.** The humble representation of John Downing of St. John's Newfoundland, on behalf of the inhabitants. The Western Adventurers have broken all the Articles of their Charter that are any way considerable. By the care of the King's Captains, Sir John Berry, Carter, Russell and others, the inhabitants' stages were well kept and well found, but notwithstanding this the greater part of them were in 1678 destroyed by those belonging to the adventurers in fishing and sack ships. The greater part of them were found spoiled at the time of the departure of the said ships, and the reason was that the Convoy, Captain Dickeson, came late and did not enter St. John's. The same would have been done to the new and rebuilt stages this year but for the arrival of Captain Wright. There were last year several persons settled in stages built by the adventurers and several inhabitants likewise. It can be proved that last year the Admiral of the Adventurers' fishing fleet, Thomas Weighmouth, when soon after his arrival several of the storehouses belonging to the ships of other Adventurers were broken into and spoiled, punished none of the culprits though he knew who they were. Captain Wright ordered the Vice-Admiral, in the absence of the Admiral, to forbid all damage to any buildings of the Adventurers, which was done, but none the less several stages and storerooms were much spoiled by night and stealthily by day. Several other disorders are committed for want of a settled government, the offenders presuming that they may pass without control if they escape being called to account by the Captain. How can it be doubted but that more damage will be done when the King's ships have left the place, there being no authority left to check them? I can command my own family, and that is all that I and other honest persons can do. Several of the inhabitants have left the place, and others will go unless a settled government be established, and the people allowed to live in peace unoppressed by the Western Adventurers. 1 *p. Copy. Endorsed,* Recd. 11th Feb. 1679–80. [*Col. Papers, Vol. XLIV., No.* 23.]

Feb. 16. **1294.** Journal of Lords of Trade and Plantations. Business of Newfoundland, pursuant to Order in Council of 15th instant. Read, an account of the past history and present of the Colony, the Report presented to the King, 15th April 1675, and several reports made by the Convoys annually sent to the Colony, which their Lordships see no reason not to accept as true and authentic. The Western Charter confirmed and enlarged on the 20th January 1675 was examined. Agreed that the first article be put into execution and a more effectual way of judicature be found, whether by the convoys then present, or by such as the King shall appoint. Remaining articles of the preamble agreed to except the 10th, prohibiting the setting up of taverns, which was altered so as to enable the inhabitants to keep taverns and public houses, and leave it to masters of ships to see that their men do not debauch themselves

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As to the added portion of the Charter, the following amendments were made :—3rd Article: To allow the planters to live as near the shore as they please. 4th Article: That the inhabitants shall retain possession of their stages, but build no more until the Adventurers be all arrived, after which they may erect new stages which they shall always possess; and that no Planters or Adventurers meddle with the stages belonging to each other. 5th Article: To permit the inhabitants to hire servants in England and transport them to Newfoundland, though they be not of the ships' company or have no share therein. 6th Article: That no owner carry more than sixty persons per hundred tons. 8th Article: The order obliging fishing ships to stay till the 1st March is superseded; agreed that the King be recommended to send one convoy at the first season to protect the ships bound to Newfoundland. Their Lordships also recommend that one Minister, or as many more as the inhabitants can maintain, be sent over by the next convoy, who are to go from place to place to baptize children, &c., and that the person to be commissioned by the King be ordered to visit the settlements yearly, and take care that the people do not go to the French, and keep an exact register of them and of their ships, to be furnished to the Council annually. [*Col. Entry Bk., Vol. CVI., pp.* 122–127.]

Feb. 16. Treasury Chamber. **1295.** Lords of the Treasury to Sir Robert Howard, Auditor and other officials of the Exchequer. Warrant for payment of 750*l.* to Sir William Stapleton for the building of forts in the Leeward Islands, pursuant to Order in Council of 28th November 1679. *Signed*, L. Hyde, Ed. Dering, S. Godolphin, Ste. Fox. *Copy.* 1 *p.* [*Col. Papers, Vol. XLIV., No.* 24.]

Feb. 17 and 18. **1296.** Journal of Assembly of Barbadoes. Colonel Richard Guy elected Speaker. Adjourned to 8 a.m. precisely on the morrow. Bill for prohibiting the putting of negroes or other slaves to arts or trades; Bill to continue an Act for the better regulation of the issue of tickets by the Secretary, both passed *nem. con.* Order for Colonels Richard Guy, Christopher Codrington, William Sharpe, and William Bate to sit with the representatives of the Council in the Committee to examine the Militia Act, passed. Bills for the destroying of wild monkeys and racoons and for prohibiting negroes from learning trade passed as amended by the Governor. Petitions of Edward Rownton and John Firebrace considered and satisfied. [*Col. Entry Bk., Vol. XIII., pp.* 375–378.]

Feb. 19. **1297.** Journal of Lords of Trade and Plantations. Sir William Stapleton's letter of 18th December 1679 read (*ante, No.* 1235) and their Lordships' report thereon agreed to (*see post, No.* 1320). Captain Gilham, accused of taking part in the rebellion of Carolina, called in, as also Lords Shaftesbury and Craven and Sir Richard Temple. The information of Peter Brockwell and Solomon Summers read; Brockwell being sworn cannot say that Gilham did act in the rebellion; Summers deposes that Gilham conferred with the rebels and gave them arms. Thomas Miller deposes that the person who

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seized him had Gilham's sword, and that other prominent rebels had swords from him also; further, that Gilham detained him on board his ship as a prisoner and received rebels on board. Affidavit of John Taylor read. Gilham replies that he had no conversation with any man except as they were his customers, and says Miller came on board his ship in a hectoring, insolent manner, and was free to leave it as soon as he pleased. Lord Shaftesbury hereupon informs the Board that further information in the matter is expected from Carolina; after which the Lords desire the Lords Proprietors and Commissioners of Customs to confer as to rules for the settlement of the country and the security of the King's Customs, and present such rules to the Board. Captain Gilham warned that he must attend again if summoned. [*Col. Entry Bk., Vol. CVI., pp.* 128–130.]

(Feb. 19.) **1298.** Papers concerning the rebellion at Carolina read before the Lords of Trade and Plantations:—

1298. I. Affidavit of Edward Cooke, mariner, respecting the trial and acquittal of Thomas Miller, for using treasonable language. Sworn before Major Robert Clayton, 9th February 1679–80.

1298. II. Affidavit of Henry Crokly, shipwright, to the same effect. Sworn as preceding, 13th February 1679–80. *Scrap.*

1298. III. Affidavit of James Swanson of London, to same effect. Sworn as preceding, 13th February 1679–80. *Scrap.*

1298. IV. Affidavit of Solomon Summers, respecting the rebellion in Carolina. Sworn 31st January 1679–80. 1 *p.*

1298. V. Affidavit of Henry Hudson. Sworn 16th February 1679–80. 1 *p.*

1298. VI. Affidavit of Peter Brockwell. Sworn 16th February 1679. 1 *p.*

1298. VII. Petition of Timothy Biggs to the King, praying for settlement of the Government after the rebellion. Enclosing two following papers. 1679.

1298. VIII. Affidavit of Timothy Biggs, confirming a former deposition. *Original date* 15th August 1679. 2½ *pp.*

1298. IX. Humble proposals of Timothy Biggs to the Lords Proprietors of Carolina for the improvement of the Colony. *Original date* 15th August 1679.

1298. X. Answer of Zachariah Gilham to the charges made against him. 1½ *pp.* Received 19th February 1679–80.

1298. XI. Account of tobacco shipped by Zachariah Gilham for London and Holland from 1677–79. ½ *p.* [*Col. Papers, Vol. XLIV., Nos.* 25 I.–XI.]

Feb. 19. **1299.** [William Blathwayt] to Mr. Guy. The Lords of Trade and Plantations finding no direct evidence against Zachariah Gilham, he is discharged under an obligation to attend further if required. Meanwhile, the Proprietors of Carolina and Commissioners of Customs are desired by the Lords to agree on some

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proposal for resettling the Government and for the collection of customs. The Commissioners of Customs are requested to report to the Lords on the matter. *Draft.* 1 *p.* [*Col. Papers, Vol. XLIV., No.* 26.]

Feb. 21. **1300.** Journal of Lords of Trade and Plantations. Business of Newfoundland resumed from 16th February (*ante, No.* 1294). 9th Article, of the latter part of the Charter, limiting the transportation of seamen to members of the ship's company or shareholders in the ship only, superseded. 10th Article agreed to. 11th Article postponed. 12th Article, that the Admirals secure and bring to England all offenders in Newfoundland, altered so as to exclude planters and their servants, while still including seamen. 15th Article, for bringing offenders into England, amended in the same spirit. In reply to the "Reasons for the decay of the Fishing Trade" formerly presented to them (*see ante, No.* 1293), their Lordships order—(1 and 2.) That the masters and seamen of all fishing ships give bond not to destroy or damage their own stages or any other. (3.) That the laws of England be enforced to prevent the destruction of timber and filling up the harbours, also that the bonds given by masters and seamen to the several mayors be returned to the Council, and that they send up certificates to the Board of Trade and Plantations how the conditions have been executed; and that the planters give the like certificates to the Governor, who will transmit them to the Council. After further debate, it was agreed that the planters may have leave to fish during the whole fishing season, and at the same time that the Adventurers do. Agreed that a Governor should be sent to Newfoundland with power to punish the planters and their servants, and also to secure all seamen and other fishermen that offend ashore and send them on board to be punished by the masters or carried to England. Agreed that the restriction on masters to transport none but such as belong to their ships, apply in future only to the Adventurers' fishing ships and Company, and that free liberty be given to all others to go to Newfoundland in what capacity soever. Their Lordships opine further that the Admirals and Vice-Admirals may preserve the peace among the seamen and fishermen ashore, so that they interfere not with the Governor's authority. Ordered, that provision be made to prevent convoys from carrying men belonging to other ships, and from fishing or carrying fish except for their own use. A Petition on behalf of the inhabitants of Newfoundland read, and consideration thereof postponed. [*Col. Entry Bk., Vol. CVI., pp.* 131–134.]

(Feb. 21.) **1301.** Representation of the inhabitants of Newfoundland to Lords of Trade and Plantations. They have never in their former petitions designed the least prejudice to fishery or navigation they desire only the security of the King's property, the advancement of his Customs, and encouragement of the fishery in general. If the King do now make a full settlement of the country, they desire that their servants may be brought to them yearly by freight or hire,

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according to the practice of the fishing ships, but they conceive it necessary and for the good of all that, as by the violence of the Western Adventurers they have been forced to disperse to twenty different places, the King should reduce them to four, viz., Trinity Harbour, St. John's, Ferryland, and Trepassey, or such other harbours as the Lords may think fit. Thereby not only will the Colony be easily governed, but also enabled to oppose the French, provided St. John's, which is a place easily fortified, be one of the places assigned to them. The inhabitants are willing, for the greater satisfaction of the Western Adventurers, to contain themselves within their present number and possess only their existing stages, provided that their children, as in time they increase, be permitted to erect stages and get an honest livelihood by a trade which is so advantageous to the Kingdom. *Signed*, William Downing. 1 *p. Endorsed*, Read 21 Feb., and again 26 Feb. 1679-80. [*Col. Papers, Vol. XLIV., No.* 27.]

Feb. 23. St Jago de la Vega.

1302. Governor Lord Carlisle to Lords of Trade and Plantations. Were I not well assured of my true regard to the King, and conscious that I have acted duly by the advice of my Council and according to my best discretion, I should be more troubled than I am at the information of my friends of your Lordships' resentment against my proceedings. Ever since my arrival I have carried myself with that caution that by a patient suffering I might gain the better opportunity of generally discovering the humours of those people, who rashly oppose the directions of your Lordships and the pleasure of the King. In pursuance thereof I have removed Colonel Samuel Long from the Chief Justiceship and the Council, and design to bring him with some of the stubbornest of the General Assembly to appear before your Lordships, and receive those reasons for their obedience in England, which they reject as insufficient in Jamaica. I hear that your Lordships are dissatisfied that I should accept a temporary Bill of Revenue. Truly I am not content myself till I consider the inducements of a Treasury not only empty (from Lord Vaughan's refusal to pass a like Bill before his departure) but a thousand pounds in debt. I passed this last Bill from the necessity of supporting the government, which could not otherwise be preserved. Before the Bill of Revenue for six months passed, I had neither the King's orders nor yours. When I afterwards received them, I found the Council very unwilling to raise money without the General Assembly, from their certain apprehensions that many merchants would refuse payment, as of an impost illegally levied. Indeed, they had hinted that they would address the Parliament in England in that behalf. I therefore wrote to Secretary Coventry for such increased powers as would persuade the Council to concur with me, and I dare modestly aver that not one at the Council Board, though most dissatisfied with my proceedings, would have acted otherwise in my place. As to your Lordships' objections against granting four offices in this Island to Mr. John Byndloss, I agree with them, and I beg your Lordships' care that neither fresh grants may be issued to persons resident in

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England, nor patents renewed to any persons not residing in Jamaica, the contrary practice being inconvenient to the government and unpopular with the people, who are naturally, more here than in other places, averse to strangers. As to your Lordships' remarks on the muster rolls of the two foot companies, I return this answer (*a verbatim repetition of that abstracted in the letter next following*).

About Christmas arrived here one Captain Francis Mingham from England with an order from your Lordships directed to be shown to Sir Henry Morgan and Mr. Thomas Martin, the Receiver-General, upon a scandalous petition delivered to your Lordships against them. In the main I am well satisfied. Mingham is a very ill man. He took upon him (though there was no mention of me either in the petition or the order) to serve me too, as he had served Sir H. Morgan and Mr. Martin, as if I had been concerned in what he so falsely and maliciously charged them with. His ship was condemned in the Admiralty Court, and sold but for 300*l.*, whereas the petition says 800*l.*, and that it was divided between them, whereas I do not believe that they turned a penny of it to their own use. Sir Henry as Judge of the Admiralty Court has not yet received even his fees, and Mr. Martin has given his share for the building of an Exchange in Port Royal for the encouragement of trade. They are now engaged in a trial with Mingham before the Grand Court, the result of which shall be reported to you as speedily as possible. His Majesty's ship Success is a total wreck, but I have saved her guns, cables, sails, and anchors. I was encouraged to try and recover her by Captain Tosier and by certificates under the hands of the warrant officers of both His Majesty's frigates. (*The account of the court-martial as in following letter.*)

Postscript.—Since writing the above Mingham's attorney asked me to dissuade Sir Henry Morgan from prosecuting his action, promising a written acknowledgment from Mingham that his petition was false and scandalous. Sir Henry, however, resolved to put it on the country, and the jury has given him 2,000*l.* damages. Whereby your Lordships may see how easy it is for us at this distance to be reproachfully and scandalously traduced to you, till we are made happy in an opportunity of vindication. *Subscribed*, Recd. 2 June 1680. 5 *pp.* [*Col. Papers, Vol. XLIV., No.* 28, *and Col. Entry Bk., Vol. XXIX., pp.* 389-396.]

Feb. 23. St. Jago de la Vega.

1303. Governor Lord Carlisle to Secretary Coventry My last news of you was some months since, but I hope for fresh letters by Sir Francis Watson. I have given you repeated accounts of the Assembly's proceedings, so shall not trouble you further with them. Understanding that the Council has shown resentment of some passages in my late management of affairs, I have written their Lordships my reasons and hope that they will be satisfied My last letter told you how I had displaced Colonel Samuel Long from being Chief Justice and one of the Council, and putting Colonel Robert Byndloss in his room, which I judge to be due to him for his steadiness in loyalty. I have since removed one Captain Samuel

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Bach of Port Royal, merchant, an enemy to the Church and supporter of conventicles in his own house, with Lieutenant-Colonel Samuel Barry, a stiff member of the Assembly, and in their places have appointed Lieutenant-Colonel Theodore Cary and Major George Nedham to succeed as assistant judges of the Supreme Court, of whose loyalty and goodwill to the present form of Government I have had several assurances. I am very anxious for Sir Francis Watson's arrival and accounts from you that I may take new measures for my resolutions, for your disorders at home leave us in great uncertainty here. Their Lordships wonder that I should desire a supply for the two foot companies, though the muster rolls are returned full and are so effectively. It is absolutely necessary at this juncture of the Government, and I took good care that they should be so by filling the death vacancies, which are many since my arrival, with free servants and others. These, after experience of duty and temptation of preferment, are daily importunate for their discharge, which I would most willingly give them had I supplies of good artificers from England to put in their places, who here only live well and improve the Island,—a consideration which may reasonably lead the King to bear the expense of transporting them. I have not myself made any profit or received one farthing of pay from my command of the company, but let my own pay run in credit upon the King that the payment transmitted may give the larger satisfaction.

His Majesty's ship Success is irrecoverably lost. I have saved, I hope, as much of her stores as may discharge the expense of my attempts to recover her. Captain Johnson, her commander, is a very diligent and careful man, though unfortunate in this case, from the unskilfulness of the pilot, and deserves better than to lie under this disaster. The pilot was tried by court-martial on Saturday and was ordered to be whipped on board five several ships on three days one after another, to be imprisoned for twelve months, and to be incapable of even again piloting a King's ship. Two Spanish prisoners have lately arrived, seemingly men of some quality, who were taken prisoners two years and nine months since from Santa Martha, and even since detained by the French at Petit Guavos in Hispaniola. Two of them, the Dean of Santa Martha and a land captain, I received and dismissed with suitable respect, and permitted them opportunity of a very good passage home. We meet with no such kindness from the Spaniards, who lately took a Bristol ship, called the Trade's Increase, bound hence with sugar, in the latitude of Bermuda, and made with her for Cuba. She was retaken by an English sloop and carried to Petit Guavos where I hear that the Governor had shipped home her cargo, of which I intend to complain. They pretended that she was retaken by a French Commission, on which false foundation the French Government has condemned her. I wrote of this to the Spanish Government of St. Jago in Cuba from whom I have had satisfactory assurance of their disowning the Act by seizing the Spanish vessel which had made the capture on her arrival there, in order to make reparation to the English owners. 3 *pp.* *Endorsed*, Recd. 31st May.

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Read 10th July 1680. [*Col. Papers, Vol. XLIV., No.* 29, *and Col. Entry Bk., Vol. XXIX., p.* 385.]

Feb. 24. Port Royal, Jamaica. **1304.** Sir Henry Morgan to Lords of Trade and Plantations. In obedience to your Lordships' order of 10th October, I transmit the exemplification of the whole trial, which, with the papers and depositions will, I doubt not, prove to your Lordships that the petition of Francis Mingham is false and scandalous, except in the one fact that the ship was condemned. The petition says that she was condemned for two casks of brandy; but it was in reality for two butts of brandy and twenty casks of black cherry brandy which were plainly kept on board to defraud the customs. Other statements are equally false.

It is plain that Mingham makes no conscience of swearing falsely, for he exhibited a bill in the High Court of Justice denying on oath that he had ever delivered the petition or served me with a copy of your Lordships' order, and a little later another bill in part confessing it. There was no malice on my part or Mr. Martin's in the trial before the Admiralty Court as Mingham falsely asserts, nor did covetousness enter into the matter. The office of Judge Admiral was not given me for my understanding of the business better than others, nor for the profitableness thereof, for "I left the schools too young to be a great proficient in either that or other laws, and have been much more used to the pike than the book; and as for the profit there is no porter in this town but can get more money in the time than I got by this trial. But I was truly put in to maintain the honour of the Court for His Majesty's service," without which the Acts of Navigation cannot be enforced for it is hard to find unbiassed juries in the Plantations for such cases. For instance, a ship from Ireland came here with several casks of Irish soap, and was seized by His Majesty's Receiver. The case was tried in the Court of Common Pleas, and the jury found for the defendant with costs. One witness swore that soap was victuals and that one might live upon it for a month, which the jury readily believed and found the aforesaid verdict. I beg your Lordships to believe that if I have erred at all in this matter it has been in judgment only. May God love me no longer than I love justice. (*Two closely written pages, the signature and date only in Morgan's hand.*) *Endorsed*, Recd. 23rd June 1680. Read at Committee, 29th June 1680. *Annexed*,

1304. I. Declaration of the case Sir Henry Morgan *versus* Francis Mingham, containing the libellous petition complained of. 2 *pp.*

1304. II. Francis Mingham's demurrer. 2 *pp.*

1304. III. The Defendant's reasons for praying arrest of judgment. 2 *pp.* (The above all copies.) [*Col. Papers, Vol. XLIV., Nos.* 30, 30 I.–III.]

Feb. 25. **1305.** Abstract of letters from Mr. Randolph and Sir E. Andros. *4th January* 1679 Randolph writes that on 30th December he delivered His Majesty's commission for settling New Hampshire

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with the seal and Order of Council, into the hands of the President, Mr. Cutts is a very just and honest man, cast out of all public employment by the Boston Government, an ancient and infirm man; the people are afraid that they shall be put under the hands of strangers. The Bostoners murmur at the great expenses of their late agents in England, some say nigh 4000*l.*; grievous complaints are made by the inhabitants of Maine, who in the Indian War found more loss attending them by the cowardice and inadvertency of their church-member-officers than from the cruelty of the Indians themselves; the Boston Government have laid rates on Kittery, York, and Wells to above 3,000*l.*, which they cannot pay, having lost almost all by the late war. The people all the way he travelled (except New Plymouth) were much unsettled, contending about boundaries, everyone supposing he had brought orders for settling their particular colonies. The Boston Government continues to collect customs and coin money. There is hardly one child baptized in Rhode Island, none lately in Maine, few in the other colonies; nothing will be more welcome to the generality than His Majesty's letter requiring that none be admitted to the magistracy or freedom but those that take the oath of supremacy, and that their children be admitted to baptism. Has discoursed with some inhabitants of Maine, who would in a little time advance so much money as the Bostoners have given for it, provided they might be assured of a government settled amongst them, as it was by commission from Mr. Gorges, distinct from any other place. There is an absolute necessity of erecting a great council, chosen out of the chiefest and best of every colony, with a President, to which men may appeal from the several judicatures of each colony, else they will never be quiet, nor then for long, till the King send over a General Governor. A commission for erecting a Court of Admiralty is absolutely necessary, by reason of several prizes brought in thither. *6th January:* Two persons in the Commission have very much obstructed the execution of it, Mr. Waldron and Mr. Martin, who have misrepresented His Majesty's orders; it would put these men to a stand if they might know that they may be put out when His Majesty pleased. *7th January:* Several privateers are gone thence to the West Indies and are expected home in a short time, which makes the necessity of a Court of Admiralty more urgent. In New Hampshire the Church Party oppose and abuse the honest party by false reports, and at Boston they endeavour to debauch the merchants and loyal men, telling them that their trade will be taken away. *30th December:* The inhabitants of Maine have sent over a petition to His Majesty by Captain Champernoon desiring to be under His Majesty's Government, heavily complaining that they are bartered and sold from man to man like slaves in Algiers; the people in New Hampshire are in general highly satisfied with the Commission. *3rd January* 1679–80: The Boston merchants persuade themselves that on paying 1*d.* per lb. for tobacco at Virginia they have liberty to carry it whither they please, and will shortly make proposals to His Majesty about trade. Before Randolph came into the country it was

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reported that the south bounds of Boston should be reduced to three miles south of Charles River, by which several towns hope to be under New Plymouth; Rhode Island on receipt of His Majesty's letter kept court in the Narragansett country, about which there are contentions concerning government, so that the inhabitants are molested sometimes by one party, sometimes by another; it would be far more conducing to the planting that country if it were a distinct government, it belonging originally to gentlemen of good estates and quality. Mr. Richard Smith who petitioned His Majesty for Hog Island now desires to have the matter referred to New Plymouth, and Rhode Island to be ordered to defend their pretences. 28*th January:* Great endeavours had been made to disappoint His Majesty's Commission, the Boston Government privately giving all encouragement, and promising to defend their mutineers at the Council Chamber, when their agents attend His Majesty. The President and Council had at length taken the oaths of allegiance and supremacy and entered on the execution of the Commission, confirming all civil and military officers till further care should be taken. The Bostoners after all the protestations by their agents are acting as high as ever, the merchants trading as freely, no ship or parcel of goods having been seized for irregular trading, although they did in 1677 make a second law to prevent it. It is in every man's mouth that they are not subject to the laws of England, neither are they of any force till confirmed by their authority. 4*th January:* It is proposed that all in public office take the oath of allegiance, and none to act or vote refusing it, and that all men taking the same be admitted to freedom and magistracy if of competent estates. Requests some allowance for his extraordinary expenses. 5*th February:* Expects to do little good to regulate the trade till he has an Order of Council that no ship pass by the Castle without a certificate of clearing from him. 11*th February:* Necessary to have his authority passed under the Great Seal of England, and to have added to his instructions to erect a custom-house for masters of ships according to the statute of II. Elizabeth to enter their ships and goods and receive their despatches. If the Commissioners of the Customs write to their West plantations abroad and to the ports in England to prohibit trade to such vessels who do not bring a clearing from him or his deputies in the colonies, it will soon make them comply. His Majesty may make short work of them by bringing a *quo warranto* against them, and then they will beg that on their knees which now they will not thank him for. There are thousands in all parts unbaptised. The General Court is up, having done nothing, as he hears, as to His Majesty's letters. 11*th February:* Desires that his commission for swearing the Governor of Boston be restored to him, and an extraordinary allowance for his winter travels, that the commission for making him Collector be for life; is certainly informed that there will be no more agents sent over. 24*th February:* Is promised by sufficient merchants there to deposit the money for the purchase of Maine, and on such terms as it may be for the benefit of the poor distressed inhabitants. Whatever is

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professed at Court by letters or agents is only to baffle and put off the evil day. There was certainly more difficulty in the commission of New Hampshire than in a *quo warranto*. *25th February:* Might have saved the King 10,000 lbs. of goods, had he but his instructions under the Great Seal. Can expect to do little till his Majesty's Commission is sent over. It were most proper to convince the people by some public Act or declaration that they are to obey His Majesty's commands without the sanction of the Bostoners; witness the commission under the Great Seal, demurred upon till known whether it did not entrench on their charter. It would be for His Majesty's service that a *quo warranto* were sent over or a printed declaration that all persons of estates rateable at 10*s.* on a single rate, having taken the oath of allegiance shall be, *ipso facto*, freemen, and that all such who are already freemen, not having such an estate, be declared no freemen. *24th February:* The inhabitants of Dover and Portsmouth have not taken the oath of allegiance, as required in His Majesty's letter of 29th April 1678, but were continued under the oath of fidelity to that country. Desires a commission under the Great Seal, &c.

Sir E. Andros' letters. *14th February* 1679, New York: All continues quiet and well, with hopes of a good trade that year; intended to go in the spring to Pemaquid to settle the government there as far as Black Point, which was surrendered by the Indians; there was no fear of the Indians there, but rather the contrary, the French of Canada drawing them too much to their devotion, and inducing as many as they can to remove to Canada, the consequence whereof may import them much. *Ib.*, *16th February:* Has concluded an honourable peace between the Indians and Christians of Virginia and Maryland; has repaired and impregnably fortified the port of New York and the city. 11 *pp.* [*Col. Papers, Vol. XLIV., No.* 31.]

Feb. 26. **1306.** Journal of Lords of Trade and Plantations. Business of Newfoundland resumed (*see ante, No.* 1300). Agreed that it is undesirable for the Governor to have further power over the men belonging to the Adventurers or Sack ships than to send them on board to their masters; also that Planters be forbidden to keep buildings, other than necessary for the fishery, orchards or gardens within a quarter of a mile of the shore, lest the fishery be thereby disturbed; also that the fortification of St. John's be first undertaken and the King advised to grant guns and ammunition; also that the mayors of each fishing port in England be directed to require the journals prescribed by the Western Charter of the Admirals of their respective harbours, all of the Admirals except one having failed to comply with this direction; also that, in view of the abuses pointed out by Mr. Hinton (*see below*) circular letters be addressed to the mayors of the western towns directing them to take effectual care that the Western Charter be observed in all such particulars as are not superseded by the King's order, also that the Governor be instructed to report to the Council what has become of the great guns left by Sir David Kirke. In view of the effect of

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the intended regulations of the Newfoundland fishery upon the King's Customs, the Commissioners of Customs are desired to inspect the papers and report to the Lords of Trade and Plantations on Monday next, when Mr. Downing will be present to say on behalf of the inhabitants what contribution they will furnish for the maintenance of the Governor; the captains of convoys are also directed to attend at the same time. Sir William Stapleton's letter containing his negotiation with the Count de Blenac read, and report thereon considered (*see post, No.* 1320). [*Col. Entry Bk., Vol. CVI., pp.* 134–138].

[Feb. 26.] **1307.** Observations on Newfoundland by William Hinton. The harbours that are most naturally fortified, best inhabited, and require least charge to secure, are St. John's, Carbonere, Salvadie, Ferryland, Renoore, Queue de Vide. The guns and small arms required for each are specified. A list of "Some proposals offered for the Governor to observe":—(1) Erection of a place for public worship. (2) Baptism of unbaptized children. (3) Confirmation by a minister of marriages not solemnised by a minister. (4) Preservation of stores left by fishing ships. (5) Care for the proper curing of fish, that provided by the West Country Adventurers often proving ill-preserved. (6) Punishment of those drunken idle people that go into the woods and by taking of tobacco and carelessly blowing out their coal have many times set great quantities of wood on fire. (7) Preservation of timber by forbidding the barking of trees. (8) Preservation of cod-fry by forbidding the unseasonable use of "Lant" seines. (9) Preservation of stages, boats, &c., and provision that the stages of the West Country Adventurers that cannot be left standing during the winter owing to the ice, be taken down before the departure of the ships. (10) Prohibition of throwing press-stones or ballast into the harbours. (11) Prohibition of tippling houses without the Government's license. (12) The Council to consist of six inhabitants only, with the captains of the King's convoys during the fishing season, and the Admiral and Rear-Admiral of the harbour if they choose to come. (13) Public Acts to be registered and sent home annually. (14) Possessions of the Inhabitants to be respected, and the fishing room not used by them to be freely enjoyed by the West Country Adventurers. (15) Equal justice and good friendship to be maintained between the fishermen, the inhabitants, and the west country fishermen. (16) Endeavours to be made to retrieve the beaver trade now carried on by the French owing to English ill-treatment of Indians. (17) No impost to be laid on west-country fishing ships. (18) Masters of west-country ships to be forbidden to send their men to New England, as is frequently done to save the expense of their passage home, whereby the King loses many able seamen. (19) Due care to be taken that the King's duties be paid on goods brought from foreign countries, salt excepted. (20) Enquiry to be made what became of the great guns left by Sir David Kirke. (21) Inhabitants to be forbidden to build or plant orchards on any ground where fish may be cured

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or dried. *Signed*, Will. Hinton. 2 *pp. Endorsed*, "Read 26 Feb., 1679-80." [*Col. Papers, Vol. XLIV., No.* 32.]

March 1. **1308.** Nathaniel Colson to Mr. Blathwayt, respecting the Narragansett country. At the desire of Mr. Crown gives an account of the Narragansett country, describes the surrender to the King's Commissioners, the disputes between Rhode Island and Connecticut for it. Is of opinion that the jurisdiction and property lies wholly in the King; reckons the undisposed part at 100,000 acres and the selling price at 1,000*l.* or 1,500*l.* *Endorsed*, "Recd. 1 March 1679-80." 1 *p.* [*Col. Papers, Vol. XLIV., No.* 33.]

March 2. **1309.** Journal of Lords of Trade and Plantations. Petition of John Crown for the gift of Boston-neck in Narragansett, with His Majesty's reference of 14th February, read. Also read, a paper printed at Boston in July 1678, declaring the property of this tract of land to belong to the persons there named and the government to Connecticut; the representation of Randall Holden and John Greene of 4th December 1678 setting forth the submission of the Indians in 1644 and the decision of the Commissioners in 1664 committing the government to Rhode Island; His Majesty's letters of 12th February $167\frac{8}{9}$ to the four colonies of New England, requiring all things relating to the Narragansett to be left in the same condition till further orders, and that persons pretending claims thereto should send over agents; the answer thereto of New Plymouth of 1st July; the letter from Rhode Island of 1st August, and the letter of the Commissioners of the three united colonies dated from Boston the 25th August. Their Lordships order the respective charters to be produced at their next meeting, when they will examine the state of the province in order to settle the government and propriety thereof.

Order of Council of 28th January last read referring to the Committee an appeal from the judgment given in New York in the case of Ward against Palmer. This being the first appeal made from that place, the charter to the Duke of York of 29th June 1674 is first read, and then after a brief state of the case the parties are called in. But as only Captain Ward and his Counsel on one side appeared, their Lordships examined the reason of Mr. Palmer's default, and found that by letters to Captain Ward and Colonel Thornburgh he confesses the equity of the debt claimed. The various documents having been read, their Lordships agree that the judgment of the Mayor's Court in New York should be upheld and that of the Mayor's Court reversed, the appellant to come to terms with the defendant's representatives as to costs if possible.

3rd March. Arrived a packet from Sir W. Stapleton containing the laws of Antigua from the year 1668. [*Col. Entry Bk., Vol. CVI., pp.* 138-144.]

[March 2.] **1310.** Proposals of William Downing and Thomas Oxford towards the support and maintenance of a Governor in Newfoundland at the rate of 400*l.* a year. The most just and ready

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way is to lay a tax upon the boats kept by each inhabitant, to be paid in fish cured and ready for the market, money, or bills of exchange for England. The following, being able men of estates, to be receivers:—George Kirke at Fermooze, John Downing at Queue de Vide, Thomas Oxford at St. John's, and John Pinn at Havre de Grace. *Signed*, Willm. Downing, Tho. Oxford. 1 *p.* *Endorsed*, Recd. 2 March, Read 12 March 1679–80. [*Col. Papers, Vol. XLIV., No.* 34.]

[March 2.] **1311.** Petition of John Ward to Lords of Trade and Plantations. Their Lordships have decided in the case between petitioner and the defendant Palmer that the judgment obtained by petitioner in New York should be confirmed, with allowance of chargos and interest. But money due upon the bond being to be paid in England, sterling money, and the difference of payment in New York being mostly 80 per cent. between the commodities of the country and the payment of wampum, beaver and New England money, prays that he may have his money made sterling by any of the last three payments. *Endorsed*, Read March 2, 1679–80. 1 *p.* *Annexed*,

1311. I. Abstract of John Ward's principal debt, interest, and charges. Bond, 80*l.*; interest, 17th April 1675—17th August 1680, at 6 per cent., 25*l.* 12*s.*; allowance for 105*l.* 12*s.* at 25 per cent. difference of money if paid in beaver or wampum or New England money, 26*l.* 8*s.*; commission at New York, 10*l.* 10*s.*; charges his attorney has been at in the Counter at New York, 20*l.*; charges in prosecuting the appeal, 20*l.* Total, 182*l.* 10*s.* *Scrap.* [*Col. Papers, Vol. XLIV., No.* 35.]

[March 3.] **1312.** Proceedings of the Commissioners of the two Nations in St. Christopher's. Extract from the Minutes of the National Court at Basseterre, 29th November 1671, in the matter of certain English negroes taken by a Frenchman named "Le Barroone." The views of the different Commissioners, French and English, in the case, and their decision, being unable to agree, to remit it to the Governors. Similar extract of date 26th January 1671–72, respecting an English complaint against Monsieur John Jeffard, with the same result. Similar extract respecting complaints against divers Frenchmen for encroaching on the lands of the English, with same result. Another case of the same kind, 27th February 1672; another, 12th March 1672; another, 10th April 1672. Several more of various dates to the 4th March 1679, the French Commissioners in all cases refusing redress to the English claimants. 18 *closely written pages.* *Inscribed*, Recd. 3 March. Probably the enclosure referred to in Stapleton's letter of 5th January (*ante*, *No.* 1252). [*Col. Papers, Vol. XLIV., No.* 36.]

March 4. **1313.** Journal of Lords of Trade and Plantations. The parties concerned in the case of Ward against Palmer being unable to agree as to the payment of costs, their Lordships consider the matter

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further, and agree to report to the King, as they had first decided that the appeal be allowed.

Sir George Downing and Mr. Lithcot, Controller General of the Customs, called in to inform the Committee that they had received no account concerning the trade and customs of Jamaica since Lord Carlisle's Government save that of exports from the 9th June to 9th October 1679. Ordered that Lord Carlisle and the other officers concerned in Jamaica be directed to furnish punctual accounts of the trade inward and outward. Mr. Lithcot also presented an account showing the trade of the Plantations with each other.

Sir George Downing is then asked to give his opinion respecting the business of Newfoundland, and sets forth by many arguments the mischiefs that would attend the fishery by the institution of a Governor on a plantation; but at length he is told that not his opinion only but that of all the Commissioners of Customs is required in this matter, so far as it affects the question of Customs. The Captains of the convoys, Sir William Poole, Sir Robert Robinson, and others being called in, declare the great use of a plantation and a Governor, and say that without them the French will get possession of Newfoundland. Sir William Poole mentions as one disturbance to the fishery that men occupy too much room with their stages, and that a fixed space should be assigned to every boat. [*Col. Entry Bk., Vol. CIV., pp.* 144–150.]

March 4. Council Chamber. **1314.** Report of Lords of Trade and Plantations to the King. On an appeal brought from New York on the case between John Ward and John Palmer, recommended that the judgment given in the Court of Assizes against John Ward be repealed, and a former judgment granted in the Mayor's Court confirmed. *Signed*, Anglesey, L. Jenkins, Radnor. *Endorsed*, Read in Council, March 9, 1679–80. [*Col. Papers, Vol. XLIV., No.* 37, *and Col. Entry Bk., Vol. LXVIII., pp.* 47–49.]

1315. Draft of foregoing in William Blathwayt's handwriting. 4 *pp.* [*Col. Papers, Vol. XLIV., No.* 38.]

[March 4.] **1316.** A collection of papers bearing on the lawsuit mentioned in the foregoing paper.

1316. I. Letter from J. Palmer to Mr. Lewin, dated 12th October 1677. 2 *pp. Endorsed, Read* 4 March 1679–80.

1316. II. Letter from the same to Colonel Thornburgh, same date and endorsement. 2 *pp.*

1316. III. Copy of the Order and Judgment of the Court of Assizes at New York in the appeal of John Palmer *et uxor*, against John Ward of London, from the Court of Mayor and Alderman. Judgment for the plaintiff. Defendant appeals to the King of England. Appeal allowed. *Endorsed*, "Read, 2 March 1679–80." 1½ *pp.* [*Col. Papers, Vol. XLIV., Nos.* 39 I.–III.]

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1316. IV. Copy of the bond of security entered into by John Ward, through his attorney, William Pinhorne, to prosecute his appeal in the case of Palmer *v.* Ward, before the King in Council in England. *Dated* 6th October 1679. *Endorsed*, "Read, 2 March 1679–80."

1316. V. John Palmer to John Ward. The trouble I now give you is occasioned by the violent proceedings of your attorney, William Pinhorne. I wish you could have found a more moderate person, for he will not hear of a friendly settlement, but I hope to find more civility from yourself. I have overthrown him in the Court here, but I think the money which you claim is your due. I cannot possibly pay the money in England, but if you will drop your appeal I pledge myself to pay it here in provisions or tobacco, and allow you interest for the delay. The event of lawsuits is uncertain and the charges great, so I would willingly do anything reasonable to avoid them. I always intended to pay the money, and would never have denied it if Pinhorne had asked me first. He alone is to blame. Give me eighteen months wherein to pay the debt. I trust much to your goodness herein. 1 *p.* *Dated* 23rd October 1679. *Endorsed*, "Read, 2 March 1679–80."

1316. VI. John Palmer to Colonel Thornburgh. Encloses the foregoing letter and begs Thornburgh to use his influence with Ward to persuade him to accept his offer. "Your most affectionate kinsman and humble servant." 1 *p.* *Dated* 23rd October 1679. *Endorsed*, Read 2 March.

1316. VII. State of John Ward's appeal. 1 *p.* *Endorsed*, Recd. 21 Feb. 1679–80.

1316. VIII. Duplicate of foregoing, with an additional statement respecting exchange between New York and England. *Endorsed*, Read 4 March 1679–80.

1316. IX. Account of principal and interest due upon John Winder's bond to plaintiff, as adjusted between plaintiff and Colonel Thorneburgh, amounting to 135*l.* 14*s.* *Endorsed*, Presented 4 March 1679–80.

1316. X. Charges of John Ward's suit at New York. 1½ *pp.* *Endorsed*, Presented 4 March 1679–80.

1316. XI. John Palmer's bill in the Court of Assize. *Endorsed*, Recd. 2 March 1679–80.

1316. XII. Answer of John Ward, by William Pinhorne his attorney to the said bill. 2 *pp.* *Endorsed*, Read 4 March 1679–80. [*Col. Papers, Vol. XLIV., Nos.* 39 IV.–XII.]

March 4. Council Chamber.

1317. [William Blathwayt to Lord Vaughan]. The Lords of Trade and Plantations desire an account in writing from you concerning the alleged omission or razing of the King's name from the Bill of Revenue passed in Jamaica during your government. Copies of the papers referred to are enclosed to you (*ante, No.* 1188). *Draft* [*Col. Papers, Vol. XLIV., No.* 40.]

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March 5. **1318.** Journal of Lords of Trade and Plantations. Lord Carlisle's letter of 23rd November read (*ante, No.* 1188). Their Lordships think that his reading aloud of their report of 28th May was disagreeable to their direction, and they particularly take note that it was neither necessary nor convenient for him to expose their Instructions to the Assembly. They approve, however, of his appointment of the Clerk of Assembly. Agreed to report that Lord Carlisle be ordered to send home Colonel Long; also to discourage Privateers and prevent the landing of plundered goods by all the means in his power. Their Lordships, however, take notice that Lord Carlisle has not sent home a copy of the petition presented by the Assembly for the suppression of privateering, nor copies of two laws lately passed for paying the expenses of the fortifications and for prolonging the Revenue twelve months longer. Further, in the law for paying for the fortifications, the Collector established by Patent to collect the parochial tax is passed by and another appointed. The Address of the Assembly of Jamaica being read, their Lordships observe that there are many mistakes and falsities therein, as that the Island took up the civil form of government in the time of Sir Thomas Modyford, whereas it is certain that Colonel Doyley soon after the King's Restoration governed by the Civil power. Again their denial of having razed the King's name from the Revenue Bill is refuted by the evidence of the Governor and Council. The Assembly is guilty of another mistake or falsity in respect of the perpetuity of Revenue Bills, which was possible to effect in the time of Sir Thomas Lynch. Further though they speak of the misapplication of public monies they can give no instance of such misapplication by any of the Governors, and in various other points they equally mistake or misstate the facts, "so "that upon the whole matter they have reason to beg His Majesty's "pardon for all their errors and mistakes." [*Col. Entry Bk., Vol. CVI., pp.* 151–157.]

March 8. **1319.** Journal of Lords of Trade and Plantations. Lord Vaughan attends concerning the charge against Colonel Long of Jamaica for leaving the King's name out of the Revenue Bill, and declares he is confident that the Bill came up from the Assembly to the Council with the King's name in, and that it was not struck out by the Council. He first perceived the erasure when Mr. Martin came out to be Collector, when he sent for the Act and perceived the erasure to be in Colonel Long's hand.

Sir William Stapleton's proposal for the exchange of Montserrat against French St. Christopher's considered and report agreed on. [*Col. Entry Bk., Vol. CVI., pp.* 158, 159.]

March 8. Council Chamber. **1320.** Report of Lords of Trade and Plantations to the King. We have read Colonel Stapleton's letters of 18th December and 5th January last (*ante, Nos.* 1235, 1252), reporting his failure to obtain satisfaction from the Count de Blenac for certain injuries to British subjects, and encroachments in British territoryn St. Christopher's; and we recommend that copies of Sir William Stapleton's

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demands, and of his answer to Count de Blenac's reply, be sent to the English envoy at the Court of France with instructions to pursue the orders formerly given to him, and in particular to press for the restitution of the Salt Ponds and to offer Brimstone Hill in exchange for them. As to Sir William Stapleton's suggestion to offer Montserrat in exchange for the French territory on St. Christopher's, we recognise the advantages that would accrue, but can come to no decision until we know the feelings of the French on St. Christopher's itself as to such an exchange. We therefore advise that Sir William Stapleton be directed to sound the French community on the subject, and report to us on the best information that he can privately make, how the balance shall be struck between the two nations, and by what rules the arrangement may be accomplished and negotiated in Europe. We cannot omit further to bring before your Majesty Colonel Stapleton's opinion that ships of war are essential to the safety of your possession in the Leeward Islands, but that a ketch is both useless and discreditable for such a purpose. *Signed*, Anglesey, J. Bridgwater, L. Jenkins. 2½ *pp. Endorsed*, Read in Council, 9 March. [*Col. Papers, Vol. XLIV., No.* 41, *and Col. Entry Bk., Vol. XLVI., pp.* 416, 418.]

March 9. Whitehall. **1321.** Order of the King in Council. After report of the ill-success of Sir W. Stapleton's conference with the Count de Blenac (*see ante, No.* 1235). *Ordered*, that a copy of Sir W. Stapleton's demands, with the French Governor's reply and other papers concerning the negotiation be sent by Secretary Coventry to the King's envoy in France, who is hereby ordered to push forward the negotiations according to his former instructions and in particular to press for the restitution of the Salt Ponds offering Brimstone Hill as an offset. 1 *p.* [*Col. Entry Bk., Vol. XLVI., pp.* 418, 419.]

March 11. **1322.** Journal of Lords of Trade and Plantations. The proposals of Mr. Downing and Thomas Oxford on behalf of the inhabitants of Newfoundland (*ante, No.*1310) for maintenance of a Governor read, and approved on condition that the money be raised voluntarily and without the constraint of the Order in Council.

Business of Jamaica resumed. Four queries (*see* next abstract) addressed to the Attorney and Solicitor General, respecting the operation of English laws, &c. in the Island. [*Col. Entry Bk, Vol. CVI., pp.* 159, 160.]

March 11. Council Chamber. **1323.** William Blathwayt to the Crown Law Officers. The Lords of Trade and Plantations desire your answers to the following questions:—(1.) Have the King's subjects in Jamaica a right to the laws of England as Englishmen, or in virtue of the King's proclamation or otherwise? (2.) Are not those subjects in Jamaica who claim to be governed by the laws of England bound as well by such laws as are beneficial to the King (*e.g.*, for subsidies) as by such as tend only to the benefit of the subject? (3.) Are not the subsidies of tonnage and poundage upon goods lawfully carried to

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Jamaica payable by law by the King's subjects that inhabit it, or that trade thither by virtue of Acts of Tonnage and Poundage or other Acts made in England? (4.) If wine or other goods be brought into England for re-export and rebate allowed thereon according to law, and the same be afterwards carried to Jamaica, shall they not there be liable to the full tonnage and poundage which should have been paid if they had been consumed in England, with the deduction of the sum not rebated in England? [*Col. Entry Bk., Vol. XXIX., pp.* 376, 377.]

March 12. Whitehall. **1324.** Lords of Trade and Plantations to Governor Sir William Stapleton. We have received your letter of the 18th December (*ante, No.* 1235) reporting your demands of satisfaction from the French Governor in St. Christopher's. Copies of your demands have been sent to our envoy in France (*see ante, No.* 1321). We like your proposal for the exchange of Montserrat for the French half of St. Christopher's well, and could wish the same were brought to effect, but we desire first to know the inclination of the French inhabitants thereunto and, if it be favourable, how the exchange may be duly balanced. We have also laid before the King your request for a frigate instead of a ketch; and we doubt not but that it will receive such consideration as will be for His Majesty's service. We have also received your despatch of 5th January last with several Acts of Antigua, whereof the latest is dated the 9th January 1676–77, so that all others made since that time, which we esteem of great importance to be transmitted to us, are wanting, as likewise all others last made in the other islands, which by your instructions should have been sent directly after they were enacted. We refer you to those instructions and to our letter of 23rd January wherein we ask for authenticated copies of all laws. The directions which you ask for guidance in relation to French men-of-war which come under the King's forts have already been sent to you. As to the French threats to chase or sink all ships approaching their roads the King has received such assurances from the French Court as encourage him to believe they will make good their former promises of civility and friendship made in the French ambassador's memorial of 9th September 1670. *Signed*, Anglesey, J. Bridgewater, L. Hyde, L. Jenkins, Winchester. 3 *pp.* [*Col. Entry Bk., Vol. XLVI., pp.* 419–422.]

March 17. **1325.** Journal of Assembly of Barbadoes. Bill presented by the Joint Committee for amendment of the Militia Act, read a first time and ordered to be transcribed.

March 18. The new Militia Bill passed. Bill for the levy on land returned from the Council with amendments. Voted that the levy be 2 lbs. of sugar per acre. Bill passed. Bill to continue the Act appointing a committee for public accounts passed. Bill to prohibit negroes from learning a trade passed. Bill of Replevins passed. [*Col. Entry Bk., Vol. XIII., pp.* 378–380.]

March 18. Virginia. **1326.** Nicholas Spencer to Lords of Trade and Plantations I did not write before for I could not write with certainty on our

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Indian affairs, but must now assure you that we cannot be sure in any Indian treaty. In my last of 15th January I told you what we had in hand, and the ways and means chosen by the Governor and Council to effect it by Colonel Wood, a person well skilled in all Indian affairs. He negotiated the same with great prudence and at length arranged that the chief men of the Indian confederate hostile towns should meet at Jamestown on the 10th of this month, to be heard on behalf of their towns and to answer the charges against them. They received every assurance of safe protection but appeared not, whether kept back by the knowledge of their guilt, or misapprehensions of our sincerity (for which the Christians have given but too good reasons), or perverted by the clandestine designs of some Indian traders, who wished to upset this arrangement of Colonel Wood for their own ends, I cannot guess. I incline to think the last is the true reason, because, since the day when the Indians failed to appear, two interpreters with great seeming confidence undertook to bring the Indians in. I informed the Deputy Governor, but there has been no time yet to take action. I can give no reasons for the late murder, but suspect revenge to be the motive. When we consider that Captain Byrd killed seven surrendered Indians and took away their wives and children prisoners, on the mere suspicion that they were assassins of our people, we can hardly wonder at the failure of the treaty. The interpreters say that the murderers came from that town of Indians. I hope the matter may be cleared up soon, but we are full of doubt, so false are the Indians and falser the interpreters. By my next I may tell you positively whether it is war or peace. *Signed. One closely written page.* [*Col. Papers, Vol. XLIV., No.* 42.]

March 19. Whitehall. **1327.** Order of the King in Council on Report of the Lords of Trade and Plantations of 4th March (*see ante, No.* 1314). Repealing the sentence of the New York Assize Court of 3rd October 1679 and affirming the judgment of the Mayor's Court of 22nd July 1679 in the plaintiff Ward's favour. [*Col. Entry Bk., Vol. LXXXVIII., p.* 50.]

March 25. **1328.** Commission for Thomas Sharp to be Ensign to the company of foot soldiers raised for the defence of New York. ½ *p.* [*Col. Entry Bk., Vol. LXX., p.* 38.]

March 26. **1329.** Journal of Lords of Trade and Plantations. Petition of the Dutch West India Company for new arrangements on receiving the proceeds of the negroes seized in 1677 on the Golden Sun read. Agreed to report in favour thereof. [*See* Letter to Lord Carlisle of 8th April, No. 1340.]

Report from the Commissioners of Customs concerning the fishery and Colony of Newfoundland read, and ordered to be presented to the King in Council.

The business of the Narragansett country or King's province being brought up, ordered that all charters and papers material thereunto be sent to the Attorney and Solicitor General for their

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report. Three questions to be put to them (*see next abstract*). [*Col. Entry Bk., Vol. CVI., pp.* 162–164.]

March 26. **1330.** William Blathwayt to the Attorney and Solicitor General about the Narragansett country. By command of the Lords of Trade and Plantations transmits charters and papers and desires their answers to the following questions:—(1.) Whether the said tract of land is contained within the bounds of the Connecticut Charter. (2.) Whether Rhode Island has any lawful pretensions to it. (3.) Whether the said country which continued till of late in the possession of the Indian Princes who formerly subjected themselves to His Majesty, be forfeited by conquest into the hands of the English of those parts and what degree of sovereignty remains in His Majesty.

Answer of the Attorney and Solicitor General. Find that the Narragansett country was granted to both Connecticut and Rhode Island, but the grant to Connecticut being first has the priority of title; yet in the grant to Rhode Island there is some mention of a consent by Connecticut; and after all this on a Commission of His Majesty's it is seized and made the King's Province. Cannot reconcile these things, therefore must submit it to their Lordships' judgment whether it would not be better that the matter remain as it has been settled by His Majesty's Commission, till the parties be heard and the matter better explained than yet it appears to be. 3 *pp.* [*Col. Entry Bk., Vol. LXI., pp.* 38–40.]

[March 26.] **1331.** Petition of Peter Hacker, acting for John Wachtendonck, Commissary for the United Provinces, to Lords of Trade and Plantations. By Order in Council (*see ante, No.* 900) His Majesty directed Lord Carlisle that, as soon as the evidence making out the right of the Dutch West India Company and Balthazar de la Rue to 200 negroes seized in the ship Golden Sun in 1677 should be produced by the Company's Agent in Jamaica, the bond of 3,000*l.* given for restitution of the said negroes should be delivered to the said agent. The agent, Sir Thomas Modyford, died before the money was received, and Balthazar de la Rue is also dead. Prays that Lord Carlisle be instructed to proceed on behalf of the Dutch West India Company with the execution of the said order with the representatives of the deceased Balthazar de la Rue as if Sir T. Modyford were still living. [*Col. Papers, Vol. XLIV., No.* 43.]

March? **1332.** Report of Lords of Trade and Plantations to the King. On petition of Peter Hacker, we recommend that, owing to the death of Sir Thomas Modyford, attorney and procurator of the Dutch West India Company in Jamaica, before the King's commands could be executed, Sir Charles Modyford, Francis Hanson, and Hender Molesworth be empowered to receive in his stead the bond entered into by Richard Brayne for restitution of certain negroes. [*Col. Entry Bk., Vol. XXIX., p.* 377.]

March 26. Whitechappell. **1333.** John Ward to William Blathwayt. Desires his bond and other papers; has set his name to a blank receipt to be filled up.

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On the same sheet: Receipt for a bond from John Winder of 17th July 1674, Winder's order for sending another quantity of iron wares, 5th June 1675, Winder's letter owning the receipt of the goods; promises to produce the three papers on occasion. 1 *p.* [*Col. Papers, Vol. XLIV., No.* 44.]

March 26. Barbadoes. **1334.** Governor Sir Jonathan Atkins to Lords of Trade and Plantations. I have taken all imaginable care to satisfy you in the material things required in your letter of 6th July 1679. I have more than once written to you most of the things then required, but, as it seems, in too general terms, which was my mistake, for I thought such details would not be grateful to you amid your many other great occasions. I have furnished you with everything that you ordered so far as possible, but I cannot omit to give an answer to your objection of sending the laws made here within the limited time expressed in my Commission and Instructions, which I hope to show was due not to wilfulness but to accident, for it could be of no advantage to me to conceal them from you if you desired to know them. My first arrival here was in November 1674 (I must mention this since much of the charge rests on the circumstance of time), and some little time must be allowed for the ceremonies usual on the entrance of a new Governor. An Assembly cannot be called suddenly, the law enacting that the writs for elections must be published three Sundays in every parish before electing. When the Assembly meets it seldom sits for more than a day and then adjourns for a month or longer, so that very great laws are made in a very short time. Moreover not long after my arrival the old Council of Plantations was dissolved, and there was no one to whom I could write except Mr. Secretary Coventry, and him I acquainted with all occurrences. In May 1675 came the negro insurrection which interrupted all other public affairs. Few laws were made except with reference to it, and I reported everything to Secretary Coventry. Your Lordships' letter announcing your appointment to the Committee of Plantations was dated 11th August 1675, which could not reach my hands until long after, for on the last day of that month came the fatal hurricane which destroyed every ship in the harbour, and levelled almost every building in the Island. The people required a long time to recover themselves after this disaster, and were so discouraged last year and this succeeding that many of them resolved never to be at the charge of repairing their works again. This was no time for public business, every man being busy with his own concerns, which was the reason why no ships came to us for some time, and when they did come were obliged to stay for a long time before they were laden, for the canes were so twisted that they could not be easily wrought out, and when they were wrought out yielded very little.

I conceived it my duty to acquaint you with the whole state of Barbadoes so near as I could, and therefore I told you that the arms were wholly in the people's hands, and for the following reasons:—1st. All other islands have some standing force in the

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King's pay, and we have none. 2nd. The revolt in Virginia took place just about this time, and it was my duty to provide against any ill consequences thereof, for I remembered how Sir Thomas Modyford, who had a regiment here, combined with Sir George Ascue and the Parliamentary fleet to drive the King's Governor, Lord Willoughby, from the Island. Not that I distrust the people. I believe their professions of fidelity to the King, but how long this may continue is uncertain, and I esteem it not impertinent to give you a true account of the place and of my condition since I found you so much require it. I have said thus much in the hope that consideration of accidents, times, and circumstances may somewhat alienate your Lordships' censure from me. I have sent you all the laws made in my time by two several expresses within four years, and the rest as soon as they could be written out. If there has been any defect by mistake, I must strive to amend it. It is true that the Militia Act has been re-enacted, but there was good reason for it, for the continuous cruising of the French fleet compelled us to put ourselves in a state of defence, and, as I have often told your Lordships, nothing can be done here without laws. The people are very obedient to their laws when made and published, and if disobedient they cannot be punished but by those laws. I never imagined that the circumstance of time was so material to the confirmation of laws, especially a law so necessary as this of the Militia. As your Lordships observe, I am Captain General of the King's forces in these dominions, of whom, however, I have no great command except under that Act, for they are under no restraint except so far as they are bound by that law, and have neither salaries nor articles of war to oblige them.

Your Lordships' letter of 11th August 1675 enclosed thirty-two queries. I answered them as fully as I could on the 4th July following, and by other letters, yet not, it seems, to your Lordships' satisfaction; so I have, pursuant to your orders, sent you the particulars so far as I could get them collected, and your Lordships have no conception of the difficulty with which they have been obtained. The inquiries as to their land and the number of their negroes raised a hundred apprehensions of heavy taxation. As evidence of their suspicion, when the French were cruising in these parts, a letter written me from England gave the people alarm that the Island was to be sold to the French; and because I spoke French, I was put down as Frenchified and the fittest man to deliver it up. It is easy to deceive these people, but very hard to rectify it. Now, as to the answers to your queries:—(1.) I send the accounts of the christenings and burials registered in the several parishes, certified under the hands of the ministers and church-wardens; but that it is complete I cannot affirm, for the Anabaptists and Quakers never bring their children to be christened, and they bury their dead in their own places, while many others bury their dead in the gardens and other spots near their houses, the parishes being some six miles, some seven miles in length, and containing most of them many thousand acres. It is forbidden under a considerable penalty of sugar to bury any Christian servant until

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so many freeholders of the neighbourhood have viewed the corpse to make sure that he may not have met a violent death at the hands of his master, the distance from the church being often so great that those who live far off know not how to get the corpse down. This is an old custom which they will not easily forsake. (2.) I send next a list of all the acres of land in each parish, the number of negroes and white men-servants, with the master's names in alphabetical order. These also are attested by the ministers and churchwardens, since I find that I have so little credit with your Lordships. (3.) Next, a list of all the militia, horse and foot, of the eight regiments in the Island; but the whole cannot be expected to be as they should be, by reason of their want of servants. Nor are they more certain than the Militia in England, for they alter every year, as the servants get their freedom, for when their time is expired they seek a new master or a new fortune. These lists are attested by the Colonels, except Colonel Lambert's regiment and Colonel Lyne's, which are attested by their Lieutenant-Colonels, the former being dead and the latter in Jamaica. They have never had a muster-master nor can I persuade them to appoint one, for they think it will be a great expense, so they leave the duty to the field-officers. (4.) Next is a list of all that have left the Island, and that you may be the better informed I have sent you all the tickets from the Secretary's office, for by law of the country no man is permitted to leave the Island unless he set up his name three weeks before his departure in the Secretary's office, where it may be underwritten. This is to prevent the carrying off of servants, and the absconding of debtors and others who would leave their wives and children to be a burden to the parish. Every master of a ship gives a bond in considerable security to carry away no one without a ticket. I can give no account of the people that arrive in the Colony; few white servants come, from the scarcity of land available for them when they have served their time; they prefer Virginia, New York, and Jamaica, where they can hope for land, to Barbadoes, where they are sure there is none. Very few come hither to stay; the names of those few are in the parish books or the Militia lists, it being not worth while to erect a new office to take account of them. (5.) An account of negroes imported, with the prices which they fetched. Further information, if required, may be obtained from the books which are sent every year to the Royal Society. (6.) I send also a copy of the law for taking the oath of allegiance, which, as it refers only to the present occasion, I thought you would not wish to be troubled with, and, with your Lordships' favour, I find nothing in my Commission or Instructions which forbids me to consent to anything that may tend to the security of the King and the safety of the Island. I assure your Lordships that the heat here was such that if I had not passed the law, I should myself have passed for as arrant a Papist as ever was hanged at Tyburn. There is a clause in my Instructions forbidding me to put the oaths of allegiance and supremacy to Quakers, but to govern them "some other way." What that "other way" means I am still to seek.

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the good of the country. The Council did not approve these propositions except in certain points which were reasonable and did not concern the Royal prerogative, but sent down the paper, unconfirmed, with such amendments as it thought fit. As the propositions might be for the country, they were content that the Assembly should proceed, but they were never satisfied by me nor the Council. After Colonel Drax had been some time in England he returned an answer to these gentlemen that he had good hope that they might redeem the 4½ per cent. duty from the farmers on indifferent terms, with some other things that might please them, adding that they had prevented the Governor's power of placing and displacing Councillors, but for which power, then vested in Lord Willoughby, the Act for the 4½ per cent. had never been passed. I have no desire for more power than I possess, but I am sure that it may be to the King's service that my successor should enjoy it; but this must be left to your Lordships' consideration. On receipt of Colonel Drax's letter those gentlemen prepared an answer which they presented to the Council for its concurrence, but on consideration the Council found that the measure was not for the country's good but would lay a general burden on it, that it was to ease those that did not ship sugar (who alone were concerned) rather than benefit the public at large, and that it was not right to concur with them in a matter which might prejudice the King, the existing arrangement being more advantageous to His Majesty than any new one. These and other considerations made the Council utterly reject joining with them in that letter or in anything that they thought might be to the King's detriment. A copy of the letter I have sent to Mr. Secretary Coventry, from which your Lordships will see what they are about and take measures to defeat them, for though the Council has refused to join with them I doubt not that they will send their instructions home to their correspondents. I protest that I have no animosity against either of these gentlemen but have always kept on good terms with them, and I look upon them as two persons as considerable as any in the Island while they are here. But it is strange to me that Sir Peter Colleton could give your Lordships so much satisfaction as you are pleased to express, considering that he has not seen this place for five years or thereabouts, and therefore could not have been present at the making of any of these laws or give you as good a reason for them as I, who was on the spot. The other gentleman, Colonel Drax, was present at the making of the law wherein the 4½ per cent. duty was concerned and was the most forward of all persons to have it passed, and as much concerned, if not more, than any. He might easily have done me the justice to acquaint your Lordships with the reasons that induced me to consent to it, and the importunity and the reasons wherewith they persuaded me to it. But having already dealt with this subject I shall say no more. It is indifferent to me whose intelligence you are pleased to make use of so you inform yourselves, but I hope that you will not permit unjust reflections on me, for no man living can endeavour to fulfil your wishes better than

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myself. It is not to be wondered at that, upon the great mutations I see your Lordships are about to make, I at this distance may mistake some of your orders, where I cannot be present to ask questions when I doubt, nor penetrate into your reasons but by guess. No man has tried more faithfully to serve the King than I. I am now seventy years of age, and it may be that my inactivity for business lays me under some stress, but my experience and judgment, I thank God, remain. I know I serve a gracious master. Forty-two years have been consumed in his and his father's service in England, Ireland, and elsewhere. But this is unfashionable discourse and I leave it, placing myself at the King's disposal and willing, if he think anyone more fit to serve him here, to submit to his pleasure. 10½ *closely written pages.* [*Col. Papers, Vol. XLIV., No.* 45, *and Col. Entry Bk., Vol. VI., pp.* 313–322.]

[*For enclosures see post No.* 1336.]

March 27. Greenwich. **1335.** Captain Sir Robert Robinson, R.N., to [William Blathwayt]. Though the Lords of Trade and Plantations have commanded the opinion of the Captains that have been at Newfoundland touching the method that is fitting to be used between the fishers and planters in their ground-stages, &c., in time of the fishing season, I humbly offer that they will order the Captains that have the convoy this summer to take advice in every point on the spot with the fishers, planters, and sacks, and to draw up a written report signed by them all with their general freedom and opinion in every particular. (1) "What everyone will be willing to allow, and nothing to be expected from them but by their own free consent" (*sic*). (2) "The fortification and how to be done" at St. John's this year if the Lords approve, and how to be kept up. (3) Concerning the stages, out-houses, flakes, &c., that belong to each fisher. (4) The security of each stage, the preservation of forests, the spoiling of the harbours by throwing press-stones overboard. 1½ *p. Signed. Endorsed,* Recd. 27 March 1680. [*Col. Papers, Vol. XLIV., No.* 46.]

April 1. Barbadoes. **1336.** Governor Sir Jonathan Atkins to Mr. Blathwayt. I enclose in a box all the particulars requested by their Lordships' last letter. I hope that they are correct; if mistakes be pointed out I will take pains to rectify them. We have no muster-masters here nor will they allow any, so the rolls may seem a little confused, but I think they are intelligible enough, as also the other papers though coming from several parishes they are drawn up in several methods. (*See ante, pages* 502–3.) [*Col. Papers, Vol. XLIV., No.* 47, *and Col. Entry Bk., Vol. VII., p.* 1.] *Annexed,*

1336. I. A list of the inhabitants in and about the town of St. Michael's with their children, hired servants, prentices, bought servants, and negroes; arranged in five columns, the householder and his wife forming the first, children, hired servants, bought servants, and slaves forming the other four. Total population;

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men 404, children, 402, white servants 412 ; Total 1,220. Negroes 1,325. Jews are placed under a separate heading and appear to have been numerous. The names are mostly Spanish and Portuguese,—Navarro, Rodriguez, Lopes, Pereira, Gomez, &c. 10 *pp.*

1336. II. Alphabetical list of owners and possessors of land in the parish of St. Michael's, with the acreage, servants and slaves of each. Total of owners 225 ; of servants 300 ; of negroes 3,746. Total acreage of the parish 3,746 acres.

1336. III. Table of Baptisms in St. Michael's parish from 31st March 1678 to the end of September 1679. 7 *pp.*

1336. IV. Burials in St. Michael's parish, same period. 16 *pp.*

1336. V. Return of owners, acreage, and servants, &c., for parish of St. George's. 111 white servants, 4,316 negroes. 9,569 acres. 1 *sheet.*

1336. VI. Baptisms and burials in the parish of St. George's, 25th March 1678—29th September 1679. 36 baptisms, 66 burials. 4 *pp.*

1336. VII. Alphabetical return of owners, &c., for parish of Christchurch, same period, 173 white servants, 4,723 negroes. 12,978¾ acres. 6 *pp.*

1336. VIII. Baptisms in parish of Christchurch, same period. Total 93. 4 *pp.*

1336. IX. Burials in parish of Christchurch. Total 42. 4 *pp.*

1336. X. Alphabetical list of owners, &c., in parish of St. Philip. 115 white servants, 4,702 negroes. 12,158 acres. 18 *pp.*

1336. XI. Baptisms and burials in parish of St. Philip, same period. 61 baptisms and 126 burials. 8 *pp.*

1336. XII. Alphabetical list of landowners, &c., for parish of St. James. 183 householders, 113 white servants, 2,895 negroes. 6,742 acres. (Some of the landowners are noted as "very pore.")

1636. XIII. Baptisms and burials in parish of St. James, same period. 23 baptisms, 44 burials. 4 *pp.*

1336. XIV. List of landowners, &c., in parish of St. Joseph. 72 white servants, 104 freemen, 2,072 negroes, 4868 acres. 2 *pp.*

1336. XV. Baptisms and burials in parish of St. Joseph, same period. 20 baptisms, 35 burials. (The baptisms are written on a scrap of waste paper.)

1336. XVI. Alphabetical list of landowners for parish of St. Lucy. 437 parishioners, 118 white servants, 1,965 negroes. 6,800 acres. 24 *pp.*

1336. XVII. Baptisms and burials for parish of St. Lucy, same period. 94 baptisms, 72 burials. 8 *pp.*

1336. XVIII. Alphabetical list of landowners, &c., for parish of St. Thomas. 93 bought servants, 133 hired servants, 3,396 negroes. 7,485 acres. (*This return is tattered and ill-preserved.*)

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1336. XIX. Baptisms and burials of St. Thomas. **Baptism 35**, burials 34. 2 *pp.*

1336. XX. Baptisms and burials for same period, and alphabetical list of landowners, &c., for parish of St. John. **28 baptisms**, 72 burials, 71 hired servants, 85 bought servants, 3,303 negroes. 7,659 acres. 6 *pp.*

1336. XXI. List of landowners, &c., baptisms, and burials, during same period, for parish of St. Peter. 208 landowners, 375 white servants, 3,977 negroes. 6,651 acres. **Baptisms 71**, burials 146. A long certificate from the Minister and Churchwardens. 10 *pp.*

1336. XXII. List of landowners, &c., baptisms and burials during same period for parish of St. Andrew. **47 white servants**, 2,248 negroes. 7,476 acres of which 1,260 are owned by dwellers in other parishes, and 719 "in dispute between the Lady Yeamans, Madam Farmer, and Madam Sparks." Baptisms 18, burials 44. 1 *sheet.*

1336. XXIII. Summary of all the lands and negroes in the Island "according to what the same was given in by the inhabitants upon a levy of 2 lbs. of sugar for every acre and 5 lbs. of sugar per head for every negro." (This return differs somewhat from the figures given above.)

Parish.	Acres.	Negroes.	Levy of Sugar in the Towns for Trade.
St. Philip - -	13,506	4,610	
Christchurch - - -	14,136	4,758	
Oistin's Town, the merchants for their trade -	- - -	- - -	2,000
St. John's - - -	7,637	3,276	
St. George's - -	9,540	5,318	
St. Michael's - - -	7,427	3,608	
Town negroes - -	—	1,360	
Levied by merchants -	- - -	- - -	40,000
St. Joseph's - -	4,907	2,191	
St. Thomas's - - -	7,787	3,272	
St. James's - -	6,779	2,934	
Levied by merchants, Holetown - - - -	- - -	- - -	2,440
St. Peter's - -	7,855	2,646	
Levied by Merchants, Speightstown - -	- - -	- - -	6,000
St. Andrew's - - -	7,258	2,162	
St. Lucy's - -	6,685	2,217	
Levied from the Jews in the whole Island - -	- - -	- - -	10,000
Total - -	92,717	38,352	60,440

1336. XXIV. Summary of acreage, white servants, negroes baptisms and burials in the eleven parishes of Barbadoes. Total for the eleven parishes 84,233 acres, 2,193 white

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servants, 37,315 negroes, 3,311 "housekeepers," 630 baptisms, 1,058 burials. (This return seems to be made up from the detailed returns given above.) 2 *pp.* [*Col. Entry Bk., Vol. VII., p.* 2.]

1336. XXV. Certificate of negroes received from the Royal African Company between 1st December 1678 and 1st December 1679. 1,425 negroes received and sold "to sundry persons for money and sugar at sundry prices," amounting in all (valuing sugar at 10 per cent.) to 20,520*l.* On 5th January 1679–80 were received 484 more negroes which were disposed of for 7,050*l.* *Signed*, Edwyn Stede, Stephen Gascoigne. 10th March 1679–80. 1 *p.*

1336. XXVI. Alphabetical list of persons to whom tickets were granted to depart from Barbadoes from 1st January to 31st December 1679. In all 523 men and 60 women. 40 *pp.*

1336. XXVII. List of the forces of Barbadoes:—

Colonel Lyne's regiment of foot - -	891
Colonel Colleton's regiment of foot -	766
Colonel Richard Bayly's regiment of foot	798
Colonel Timothy Thornhill's regiment of foot - - - - -	655
Colonel Standfast's regiment of foot -	506
Colonel William Bate's regiment of foot -	1,194
Total foot - - -	4,810
Colonel Samuel Newton's regiment of horse - - - -	434
Colonel Simon Lambert's regiment of horse - - - -	344
Total horse - - -	778
Total horse and foot - - -	5,588

[*Col. Entry Bk., Vol. VII., p.* 3.]

1336. XXVIII. Nominal Rolls of the Companies of Colonel Christopher Lyne's Regiment of Foot:—

A. Colonel Lyne's Company, officers not named, 121 men.

B. Lieutenant-Colonel Lewis's Company, 3 commissioned officers, 96 men.

C. Major Williams's (late) Company, officers not named, 81 men.

D. Captain Dent's Company, officers not named, 78 men.

E. Captain Browne's Company, 3 commissioned officers, 105 men.

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F. Captain Pinket's Company, 3 commissioned officers, 72 men.
G. Captain Bowcher's Company, officers not named, 83 men.
H. Captain Adams' Company, officers not named, 83 men.
J. Captain Richard Elliott's Company, officers not named, 90 men.
K. Captain Rawlins's Company, 2 commissioned officers, 82 men.

[*In many of these rolls there is no clue except the date to show to what regiment the company belonged. Some of them contain lists of the householders, &c., as in Colonel Standfast's rolls, see No. XXXII.*]

1336. XXIX. Nominal Rolls of Companies in Colonel Thomas Colleton's Regiment of Foot:—

A. Colonel Colleton's Company, 3 commissioned officers, 108 men.
B. Lieutenant Colonel Jelley's Company, 3 commissioned officers, 79 men.
C. Major Samuel Smith's Company, 3 commissioned officers, 82 men.
D. Captain Parke's Company, 3 commissioned officers, 95 men.
E. Captain Binney's Company, 3 commissioned officers, 133 men.
F. Captain Cleaver's Company, 3 commissioned officers, 102 men.
G. Captain Hacket's Company, 3 commissioned officers, 120 men.
H. Captain Bound's Company, 3 commissioned officers, 57 men.

[*There is nothing except the date to show to what regiment these companies belong, and the date itself is sometimes missing. Many of the rolls are simply names of the persons whose duty it was to supply a quota of men.*]

1336. XXX. Nominal Rolls of Companies in Colonel Richard Bayly's Regiment of Foot:—

A. Colonel Bayly's Company, officers not named, 75 men.
B. Lieutenant-Colonel Tidcombe's Company, officers not named, 118 men.
C. Major Foster's Company, officers not named, 85 men.
D. Captain Hall's Company, officers not named, 83 men.
E. Captain Whalley's Company, officers not named, 80 men.
F. Captain William Lewgar's Company, officers not named, 82 men.

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G. Captain Thurburne's Company, officers not named, 86 men.
H. Captain Harrison's Company, officers not named, 103 men.
J. Captain Liston's Company, officers not named, 93 men.
K. Captain John Lewgar's Company, officers not named, 73 men.

[*Some of these rolls are marked off into files of six men apiece; some contain simply the names of the persons bound to supply men, as in Standfast's regiment.*]

1336. XXXI. Nominal Rolls of Companies of Colonel Timothy Thornhill's Regiment of Foot, viz.:—

A. Colonel Thornhill's Company, 3 commissioned officers, 104 men.
B. Lieutenant-Colonel Afflick's Company, 1 commissioned officer, 42 men.
C. Major Holmes's Company, 3 commissioned officers, 55 men.
D. Captain Sampson's Company, 3 commissioned officers, 69 men.
E. Captain Thornhill's Company, 1 commissioned officer, 83 men.
F. Captain Morrell's Company, 3 commissioned officers, 65 men.
G. { Captain Holms's Company, 3 commissioned officers, 27 men.
Captain Lillington's Company, 3 commissioned officers, 51 men.
(Lillington's roll is made up like those of Standfast's regiment.)
H. Captain Allamby's Company, 3 commissioned officers, 74 men.
K. Captain Woodward's Company, 3 commissioned officers, 67 men.

1336. XXXII. Nominal Rolls of Companies in Colonel Standfast's Regiment of Foot. These differ somewhat from the other rolls, as the following heading shows:—"Lists containing the Masters and Mistresses of Plantations, quantities of acres, number of householders serving for themselves, tenants, freemen, and servants within the Division of Captain ———'s Company"):—

A. Colonel Standfast's Company, 3 commissioned officers, 54 rank and file.
B. Lieutenant-Colonel Ruddock's Company, 3 commissioned officers, 61 rank and file.
C. Major John Waterman's Company, 2 commissioned officers, 73 rank and file.
D. Captain Saudeford's Company, 3 commissioned officers, 48 rank and file.

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E. Captain Abel Alleyne's Company, 3 commissioned officers, 57 rank and file.

F. Captain Archibald Johnstone's Company, 1 commissioned officer, 61 rank and file.

G. Captain John Davies's Company, 3 commissioned officers, 73 rank and file.

H. Captain Waterman's Company, 3 commissioned officers, 79 rank and file.

Also 24 sergeants and 16 drummers.

1336. XXXIII. Abstract of Colonel William Bate's Regiment of Foot, His Majesty's Regiment of Guards for his Excellency. —1 colonel, 1 lieutenant-colonel, 9 captains, 12 lieutenants, 12 ensigns, 39 sergeants, 24 drummers, 12 clerks, 12 armourers, 12 adjutants, 12 chirurgeons, 1 marshal and 1,046 privates, of whom 804 present at muster. Total, officers and men, 1,194.

A. Abstract of the strength of the 12 companies of Colonel Bate's regiment, from the following nominal rolls, viz.:—

B. Colonel Bate's Company, 3 commissioned officers, 124 rank and file.

C. Lieutenant-Colonel John Codrington's Company, 3 commissioned officers, 120 rank and file.

D. Captain Lyte's (the Majors') Company, 3 commissioned officers, 121 rank and file.

E. Captain Ely's Company, 3 commissioned officers, 102 rank and file.

F. Captain Morris's Company, 3 commissioned officers, 95 rank and file.

G. Captain Burrows' Company, 3 commissioned officers, 104 rank and file.

H. Captain Burton's Company, 3 commissioned officers, 89 rank and file.

J. Captain Salter's Company, 3 commissioned officers, 91 rank and file.

K. Captain Lancaster's Company, 3 commissioned officers, 75 rank and file.

L. Captain Elliott's Company, 3 commissioned officers, 77 rank and file.

M. Captain Scott's Company, 3 commissioned officers, 84 rank and file.

N. Captain Masson's Company, 3 commissioned officers, 86 rank and file.

1336. XXXIV. Nominal Rolls of the several troops in the two Regiments of Horse commanded by Colonels Samuel Newton and Simon Lambert. (There is nothing to show to which Regiment the majority of troops belonged).

A. Colonel Newton's Troop, officers not named, 81 men.

B. Major Rowland Bulkeley's Troop, 3 commissioned officers, 79 men.

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C. Colonel Simon Lambert's (the late) Troop, officers not named, 67 men.
D. Major John Farmer's Troop, 3 commissioned officers, 56 men.
E. Lieutenant-Colonel James Carter's Troop, 3 commissioned officers, 55 men.
F. Captain Robinson's Troop, 3 commissioned officers, 85 men.
G. Captain Meyricke's Troop, officers not named, 56 men.
H. Captain Vinter's Troop, 3 commissioned officers, 81 men.
J. Captain Dempster's Troop, 3 commissioned officers, 73 men.
K. Captain Leslie's Troop, officers not named, 69 men.
L. Major Steart's (late) Troop, 1 commissioned officer, 58 men.
M. Lieutenant Maxwell's Troop, officers not named, 59 men and 41 absent.

1336. XXXV. Return of the Artillery mounted in the Forts of Barbadoes:—

Fort at Oistin's - - -	36 guns.
Charles Fort - - -	36 „
Battery in middle of bay - -	9 „
Between it and Willoughby Fort -	5 „
Willoughby Fort - - -	13 „
James Fort - - -	13 „
New Battery "before my house" -	9 „
„ „ to leeward - -	3 „
„ „ at Black Rock -	3 „
New Fort at Hole and York Fort -	16 „
At Reade's Bay - - -	9 „
Fort at Speight's Bay - -	16 „
„ Thomson's Bay - -	9 „
„ Nanking Bay - -	5 „
„ „ „ - -	3 „
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Subscribed, "All those I call forts I have enclosed. In them are erected Courts of Guard, lodging for soldiers, and places for ammunition and necessaries for the work. They are all built of stone and the batteries made of stone, which has cost the country a great deal of money Those I call batteries are open behind." *Unsigned.* 2 *pp.*

1336. XXXVI. Names of the Judges and their Assistants in the Five Courts of Common Pleas in Barbadoes:—

Oistin's Court.—Henry Quintaine, Judge; William Goodall, Richard Pocock, John Beale, Ferdinand Bushell, Assistants.

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St. Michael's Court.—Henry Walrond, junr., Judge; John Hallett, Thomas Colleton, Robert Meade, Francis Bond, Assistants.
Hole Court.—Edward Littleton, Judge; James Walwyn, —— Evans, John Daniell, Benjamin Knight, Assistants.
Speight's Court.—John Reid, Judge; Samuel Tidcombe, William How, John Madox, Assistants.
Scotland Court.—Alexander Ruddock, Judge; John Meyricke, John Ford, —— Waterman, Assistants.

[*Col. Entry Bk., Vol. VII., p.* 3.]

1336. XXXVII. Names of the King's Council in Barbadoes.

Sir Peter Colleton, Bart.
Colonel Henry Drax.
Lieutenant-General Henry Walrond.
Colonel Samuel Newton.
Thomas Wordall.
John Pearse.
Colonel John Standfast.
John Witham.
Richard Howell.
Edwyn Stede.

Names of the Assembly,—

St. Michael's Parish	Colonel William Bate. Colonel Richard Guy.
St. George's Parish	Major Rowland Bulkeley. Samuel Husbands.
Christchurch Parish	Richard Seawell. Major Richard Williams.
St. Philip's Parish	Major Richard Pocock. William Goodall.
St. John's Parish	Colonel Christopher Codrington. Colonel Thomas Colleton.
St. Joseph's Parish	Colonel William Sharpe. Captain Edward Binney.
St. Andrew's Parish	Captain Meyricke. Captain Gibbs.
St. Lucy's Parish	Lieut.-Col. Sam. Tidcombe. Captain Meacock.
St. Peter's Parish	Major William Foster. Colonel Richard Bayly.
St. John's Parish	Edward Littleton. James Walwyn.
St. Thomas' Parish	Lieut.-Col. James Carter. John Davies.

[*Col. Entry Bk., Vol. VII., pp.* 4, 5; [*Col. Papers, Vol. XLIV., No.* 47 I.–XXXVII.]

April 1. Nevis. **1337.** Governor Sir William Stapleton to Lords of Trade and Plantations. I am sending home the ketch Deptford, Captain James Aire, her provisions being spent except such as suffices for the

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homeward voyage. She came out with but ten barrels of powder, her allowance at home for three or four months, which is long since expended, so I furnished her with three barrels, of which he has about one-half remaining. It is a sad thing that we who have so little store must lessen it. We know not how to supply ourselves, nor how soon we may have occasion to use what we have bought at a dear rate. Pray order as many barrels to be sent to us or even more, for it costs us more than twice the home price; we paid 6*l.* 5*s.* per barrel for freight. The French expect men-of-war daily. I hope that if any English men-of-war be sent here the Admiralty will see them provided for a West Indian instead of a channel voyage as was the Deptford. Provisions have not been scarcer here these twelve years than they now are. I humbly put it to your Lordships' consideration what credit can redound to the King from a ketch, when the French receive annually a squadron of good ships. "But this has been so often represented and reiterated to your Lordships that for fear of being importunate I must commit it to silence." *Holograph.* 1 *p.* [*Col. Papers, Vol. XLIV., No.* 48, *and Col. Entry Bk., Vol. XLVI., pp.* 425, 426.]

April 4. **1338.** Petition of Weeounkhass, Queen in the Niantick country, to the King. Is the daughter of Nonograt, chiefest sachem of the Niantick country, who, though much sought after to join the rest of the Indians in their rebellion, remained faithful to his allegiance, and was on his death left chief in his room till her younger brother should come to age. Complains of the endeavours of Connecticut to bring in one Catopeci to make him equal with her in the Niantick country; had it not been for the King's letter with special order to Connecticut to withdraw from his province would with her people have been brought very low if not to nothing. There are others who lay claim to the province, some by mortgage, some by purchase; there are so many struggling for it that in the meantime the poor suffer for want of land. Desire to be continued under Rhode island, where they can expect equal justice, and that the land be settled in peace by orders to all unjust pretenders to withdraw. The mark of the Queen is affixed. Underneath is an attestation signed Job Babcock, interpreter. *Endorsed,* Recd. 30 June 1680. 1 *p. N.B.—This petition seems to have been sent by way of Rhode Island, Governor Cranston's writing appearing on it. The statements therein should therefore be received with caution.* [*Col. Papers, Vol. XLIV., No.* 49.]

April 5. **1339.** Captain Sir Robert Robinson, R.N. [to William Blathwayt?]. "Do humbly advise touching the security of Newfoundland or St. John's in particular, that he that commands the convoy this summer may have directions for the employing part of his men in the men-of-war, and perhaps others of the planters and sacks that will be willing, to raise up such works and fortifications as shall be thought necessary against any opposition, which shall be done with no charge to His Majesty except some small gratuity to the

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seamen in time of labouring, in brandy or the like. These humbly. *Signed*, Robt. Robinson." 1 *p. Holograph. Endorsed*, Recd. 6 May 1680. [*Col. Papers, Vol. XLIV., No.* 50.]

April 8. Whitehall. **1340.** Lords of Trade and Plantations to Governor Lord Carlisle. With reference to your letter of 9th October last reporting all to be in readiness for the delivery of a bond for restitution of certain negroes belonging to the Dutch West India Company, application has been made in consequence of the death of Sir Thomas Modyford for Sir Charles Modyford, Francis Hanson, and Hender Molesworth, to be permitted to act in his room, and that the executors of Balthazar de la Rue, deceased, be also admitted to act on his behalf (*see ante, No.* 1331). You will therefore on the production of evidence by Sir Charles Modyford and Messrs. Hanson and Molesworth, cause the bond to be delivered them. *Signed*, J. Bridgewater, Essex, J. Ernle, Finch, L. Jenkins, Radnor, Worcester. 2 *pp.* [*Col. Entry Bk., Vol. XXIV., pp.* 378–380.]

April 14. **1341.** Minutes of Council of Barbadoes. Thomas Walrond took the oath and his place as a Councillor. Henry Walrond, John Witham, John Stanfast, and Mr. Knight, appointed a Committee to compare the Militia Act with the draft sent to the Assembly and report the difference between them to-morrow morning. [*Col. Entry Bk., Vol. XI., p.* 313.]

April 14. **1342.** Journal of Assembly of Barbadoes. Christopher Codrington chosen Speaker, Colonel Guy being absent through sickness. Debate as to the means of supplementing the levy of 2 lbs. of sugar per acre. Voted that it be by a tax on negroes of 5 lbs. of sugar per head, the assessment on towns and Jews to be double. Bill for the purpose passed. Order for payment of gunners and mattrosses passed. Addition to the above Bill for a levy passed.

April 15. Militia Bill as amended by the Council passed. Carried *nem. con.* that the Assembly by themselves (the Council not being willing to join them) send an answer to the recent letter of Sir P. Colleton and Colonel Drax relating to some public draft of the letter passed, and ordered that the Speaker sign it. *Abstract of the letter, dated 15th April.* We have received yours of 19th July informing us of the fatal alterations designed for our government, and your reasonable interposition to prevent the same, which convince us that we did well to employ you. We now improve the occasion to ask you to use your best means to acquit us from the vast troubles brought on us by the collection of the 4½ per cent. duty, which we presume may be done by commuting some other duty in its stead; and we propose, in lieu of the 4½ per cent. duty, to impose a new impost on goods imported, to the value of at least 500*l.* per annum more than our proportion of the 4½ per cent., the Act authorising the same to contain a clause empowering the Governor to levy on our land, for the King's use, 1 lb. of sugar for every penny that shall fall short of the stipulated sum in case the duty should fail to produce it. We have no law to impose duty on imports at present, but we are ready to establish one.

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We hope that this hope of a better revenue will be satisfactory to the King, and save us from the intolerable burden of the farmers, but, if you cannot effect this, then we desire you to take the farm yourselves upon the best terms that you can, with which we promise faithfully to comply, and then, if we can agree among ourselves, we can drop the collection of the 4½ per cent. and impose the other. It was greatly to our satisfaction that the King filled the vacancies in our Council and Magistracy from our freeholders; we depend upon your care to keep out unqualified persons, if any attempt be made to put them in. You know our difficulties through want of both blacks and whites, and rely upon your ingenuity to take the best measures to meet them. The insecurity of the Island, the decay of trade, and the fall in the King's revenue are your best arguments. We can truly represent to you that, while you are thus purchasing to yourselves the highest honour by serving your country, you are also in the way of conferring a lasting obligation on us. Order for payment of the salaries of the Clerk of Assembly and Provost Marshal passed. Ordered, on petition of the Treasurer, that his accounts be accepted, with his proposed alterations. Order for payment of gunners and mattrosses. Adjourned to 12th May. [*Col. Entry Bk., Vol. XIII., pp.* 380–387.]

April 15. **1343.** Commissioners of Customs to Lords Proprietors of Carolina. Proposals (1) for the recovery of the arrears of Customs in Albemarle County, Carolina; (2) for restitution or reparation of the estates lost by the Deputies during the rebellion; (3) for future collection of Customs. (1.) A commission to be appointed to trace the payers of the tobacco and duties received by Thomas Miller and taken from him by the rebels, and also those who have evaded payment. (2.) Miller and the rest to receive back their estates, and a commission to be appointed to assess the compensation due to them. (3.) Enforcement of existing laws. *Signed*, Richard Temple, Fr. Millington, John Upton. *Copy. Endorsed*, Recd. 20 Nov. 1680. 1¼ *pp.* [*Col. Papers, Vol. XLIV., No.* 51.]

April 23. St. Jago de la Vega. **1344.** Governor Lord Carlisle to Lords of Trade and Plantations. Your Lordships' letter of 16th January last received (*ante, No.* 1269). As to the short term, six months, of the Revenue Bill, it was inevitable from the indigence of the Government. I was expecting fresh orders from your Lordships also since the Assembly had rejected the indefinite Revenue Bill presented to them. My giving the King's thanks was obedience to my instructions, and with regard rather for form than for their benevolence. The reason of the clauses exempting Jamaica ships from all impositions, and continuing impositions on French wines, was the stubbornness of the Assembly which would not pass them otherwise. I was the rather inclined thereto because they were only exempted from powder money and not otherwise. I issued a commission about 14 months ago for the inspection of stores in His Majesty's forts. The account was returned to the

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Master of the Ordnance by one Mr. Chester, late his agent here, who was unfortunately captured on his return voyage by the Turk. I have since issued another commission, whose report shall be at once forwarded to you. I cannot but thank your Lordships for being sensible of my great straits in relation to the subsistence of the two foot companies and the arrears of the Government. Your Lordships' orders forbidding me to raise any money except in case of invasion is easily complied with, for I have no power to call an Assembly without the Royal approbation, and without fresh powers, which I have long desired to enable the Council to raise money, that body is unwilling to take the responsibility. So that in the main the Government is so crippled that it is difficult to act without endangering the King's best friends, or giving his enemies opportunity to cavil. The answers to your Lordships' inquiries I have entrusted to the officers whose departments are concerned, with orders to have their returns ready for the departure of the next ships, which are ready to return upon receipt of your Lordships', for to detain them would be an injury to the merchants. *Postscript.*—Since writing the above I have, by the advice of the King's best friends here and by the King's verbal permission conveyed by Sir Thomas Watson, resolved to embark for England at the end of May, bringing with me Colonel Samuel Long and Lieutenant-Colonel Beeston, late Speaker, whose private affairs partly call them home. This, I hope, will expedite the despatch of the Island's business. I am well assured of the peaceable Government thereof in my absence, and shall be ready to return at the King's command. *Endorsed,* Recd. 21 July 1680. 3 *pp.* [*Col. Papers, Vol. XLIV., No.* 52, *and Col. Entry Bk., Vol. XXIX., pp.* 400–403.]

(April.) **1345.** Petition of Colonel Samuel Long to Governor Lord Carlisle. The petitioner has lived in Jamaica almost twenty years, and held several positions of trust under divers Governors. When your Excellency came he was Chief Justice, Colonel of a regiment of foot and a member of Council, and was continued as such until November last when, for reasons known to your Excellency only, he was discharged, though he had fulfilled his duties therein justly and honestly, not only to the great comfort of his own conscience, but, as he verily believes, without complaint of any person, whether of your Excellency or any of your predecessors. And whereas your Excellency on the 22nd of this instant April told your petitioner that you intend to make him go for England very speedily (when your Excellency goeth), and that by force, although you admit that you have no *mandamus* from the King for that purpose, and have not (though desired by your petitioner) informed him of any cause or reason to which he can answer; and whereas in our Act of 31 Charles II, for the better securing of the liberty of of the subject, are words [quoted at length] subjecting any person who shall commit or imprison any person contrary to that Act to disability to hold any office of trust and to the penalties laid down in the Statute of Præmunire, without hope of pardon; and whereas your petitioner (by God's blessing) is one of the most considerable

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planters of the Island and has for fourteen years made a livelihood out of it, and has never been an encourager, but rather the contrary, of privateering, and his violent exile or imprisonment will not only be a particular injury to himself but a terror to His Majesty's subjects in the Island: Therefore your petitioner prays that he may be furnished with a copy of the charges against him and with the names of his accusers as by law he ought, and receive legal trial without any violent or irregular proceedings. *Copy.* 1 *p.* *Copied below:—*

1345. I. Warrant issued by Lord Carlisle for the arrest of Colonel Samuel Long on a charge of misprision of treason; addressed to Edward Yeamans, Provost Marshal, and ordering him to deliver the prisoner to the custody of Captain Tosier on board H.M.S. Hunter, dated 17th May 1680. Certified by Edmond Duck, P. Beckford, Tho. Cooper.

1345. II. Bond of Samuel Long, Hender Molesworth, and Peter Beckford, giving bail in 4,000*l.* for the surrender of Samuel Long on the 24th May 1680 or earlier.

1345. III. Samuel Long's prayer to Robert Byndloss, Chief Justice, for a writ of Habeas Corpus to be returnable immediately.

1345. IV. Memorandum. The above prayer was written and showed to the Chief Justice on 19th May 1680. The Chief Justice answered that according to the copy of the warrant the charge was misprision of treason and the accused therefore not bailable. *Together,* 3 *pp. Endorsed,* Mr. Long, his paper complaining of his hard usage from the Earl of Carlisle. [*Col. Papers, Vol. XLIV., Nos.* 53, 53 I.–IV.]

April 27. Council Chamber. **1346.** William Blathwayt to the Judges. Referring to them questions (1) and (2) of those formerly submitted to the Crown Law Officers (*see ante, No.* 1323). [*Col. Entry Bk., Vol. XXIX., p.* 380.]

April 27. **1347.** Journal of Lords of Trade and Plantations. Sir William Stapleton's letter of 7th February last (*ante, No.* 1291), respecting the English in Surinam read, together with the report of the Committee of 28th May last. Report of this day's date on the subject agreed to.

Petition of Kiauh de Mercado, Solomon Mendez, and other Jews, for liberty to transport themselves to the plantations, which was referred to the Committee on 5th inst., considered. Agreed that the Lords see no reason why the clause which the petitioners desire should be omitted from the letter of denizenation, that, namely, obliging the persons who receive them to reside in England, should be left out at present.

The Attorney and Solicitor General having reported that the four questions submitted to them respecting Jamaica (*ante, No.* 1323) were of such difficulty as to deserve the opinion of the Judges, Mr. Attorney delivered his opinion that the people

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of Jamaica have no right to be governed by the laws of England but by such laws as are made there and established by the King's authority; but whereas Mr. Solicitor opines that the word Dominion in the Act of Tonnage and Poundage seems not to include the plantations, agreed that the first two questions only be submitted to the Judges.

Report of the Attorney and Solicitor General on the questions put to them concerning the boundaries of the King's province (*ante, No.* 1330) read. The Lords approve the report of the Commissioners, and will at the next meeting consider the further regulation of the country. On reading an abstract of letters from Mr. Randolph from New England (*ante, No.* 1305), wherein it is proposed that all the Colonies be obliged to take the oath of allegiance, ordered that the charters be examined to see if the King may lawfully impose that oath upon them.

Draft of a letter to the Western towns concerning Newfoundland, pursuant to Order in Council of 14th inst., read and approved. Ordered, that letters be sent to St. Ives, Penzance, and Truro in Cornwall, besides the towns to which letters were formerly sent (*see* No. 1306). [*Col. Entry Bk., Vol. CVI., pp.* 164–169.]

April 27. Council Chamber.

1348. Report of Lords of Trade and Plantations to the King. On Sir William Stapleton's letter of 7th February (*ante, No.* 1291) respecting the condition of the English kept at Surinam by the Dutch Governor, we have reviewed the case of these people, but do not find that the Dutch are obliged to permit them to depart on your Majesty's order. Yet, looking to the miserable state in which they are, we recommend that application may be made to the States General through your Majesty's envoy in Holland and their ambassador here for permission for these English to transport themselves to some other of the English Plantations. *Signed,* J. Bridgwater, Radnor, L. Hyde. 1½ *pp. Endorsed,* Read in Council and approved, 5th May 1680. [*Col. Papers, Vol. XLIV., No.* 54, *and Col. Entry Bk., Vol. XLVI., pp.* 423, 424.]

May 1 Marshfield.

1349. Governor Winslow to Mr. Secretary Coventry. Acknowledges letter of 26th September 1679 by Mr. Randolph, informing him of the King's acceptance of their letters of 1st July 1679. Thanks him for his favour; believes that the Colony is of as loyal a spirit as any of His Majesty's Plantations. Was unhappy in the miscarriage of his first letters and address, copies of which were sent last year, which are now under consideration of the Committee for Trade and Plantations; the timely receipt of the letters might have prevented the suspension they are under of settling Mounthope, occasioned by Mr. John Crown's petition. Requests him to be the King's remembrancer on their behalf, as they now have an opportunity to settle a trading plantation there by merchants and others of Boston of good estate. The letters were delivered to Mr. Ashurst of London, merchant, and by him delivered to Winslow's wife's brother, Major Waldegrave Pelham, an Essex gentleman, of Ferriers Hall in Bewers (?). Was very unwilling because of their relation to have named him, but has twice written to him very

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plainly and advised him to frame the best excuse he could for his neglect and yet to deliver them, but he will not give a word in answer, though they might be obtained on His Majesty's order. Cannot but entreat favour for him (notwithstanding besides this injury he detains from his sister above 1,000*l.* due to them as legacies by her father and grandfather, he being both heir and executor). Has drawn up and encloses a brief answer to the queries directed to him; has not sent a copy of their charter, because they have not had a General Court, without whose advice it would have been ill taken. Believes they will send some one to wait on His Majesty with it. Mr. Randolph has seen the original, and plainly understands it to take in great part of the Narragansett country, but His Majesty's pleasure in these matters shall quiet them, who desire not to be more great than good. *Signed*, Josiah Winslow. *Endorsed*, Recd. 30th June 1680 from the E. of Sunderland. 1 *p.* [*Col. Papers, Vol. XLIV., No.* 55.] *Enclosed*,

1349. I. Answer to the Inquiries of the Committee for Trade and Plantations about New Plymouth, in reference to the government, courts of judicature, number of soldiers, trade, &c. They have 1,200 listed men, from 16 to 60, mostly foot, but a trained band in every town; no trade beyond the seas; they have 14 small towns, in most of them good preachers and comely churches, and the sacraments administered to persons of various persuasions; their commodities are fish, provision, grain, horses, ship-timber, tar, hemp, flax, and a great store of iron; have no commodities imported directly, but have all their supplies from Massachusetts; very few slaves except Indian women and boys taken in the late war; no blacks brought thither, some few are brought to Boston, who are valued at from 20*l.* to 30*l.*; the number of blacks there is few, and of them fewer breeders; the English and other Indians increase very much, in seven years 800 children have been born, who are or may be christened if their parents' scruples do not obstruct; there have been 450 marriages in the last seven years and 546 deaths, more than at other times, owing to the Indian war and the small-pox. Most men there are freeholders, few tenants; incomes of 2,000*l.* are rare among them; no vessels, but scallops and fishing ketches; want of men of estate and skill to manage the trade and of good harbours for shipping; the obstructions to trade would be removed if Mounthope were settled on them and the Colony made a free port; no duties on imports or exports and no public revenue except 30*l.* a year by the rent of a fishing-place, employed towards the support of grammar-schools; of those who are seriously religious the Congregational men are the greatest number, some Baptists and some Quakers, to all of whom equal respect is paid, except the Quakers, and they are not disturbed except they disturb the peace. The people are instructed

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in the Christian religion by good preaching in every plantation, by catechizing the youth in families, schools, and sometimes in churches; have for the most part in every town a good minister and church, maintained by their own people by rate or contribution; the poor and impotent are maintained by the town to which they belong, and so comfortably provided for that they have no beggars and suffer no idle vagabonds. *Signed*, Josiah Winslow. 6 *pp.* [*Col. Papers, Vol. XLIV., No.* 55I., *and Col. Entry Bk., Vol. LXI., pp.* 56–61.]

May 2. About 5 leagues from the Capes.

1350. Governor Lord Culpeper to [William Blathwayt]. After a most tedious passage full of death, scurvy, and calentures, we are in eleven weeks and two days arrived within soundings of Virginia, and being now within sight of three ships that appear to be bound to England I write such details as time permits. The King's affairs in the Colony will so infinitely suffer from the unwarrantable supine remissness of Captain Younge in the hired (ship) James that I cannot give you an idea of the inevitable inconvenience should he not be come. And if he be, I am resolved that a man that hath so wretchedly, cowardly, and basely disobeyed both myself and Captain Mason (from whom he had positive orders to sail before us) shall never serve the King under me. Till I got on board the Oxford frigate on the 13th February I thought him gone before, and then you know what a noise would have been raised against me, both at the Exchange and the Council Board, if such a great and considerable fleet, so long wind-bound, had been delayed on my account. By my resolution to put the King's interest first, I left most of my servants in the James, that we might be stronger in case of meeting with Canary, and took some of the best of my company in their place. I am glad of it, for I have reason to fear that the Building and Cantonizing Act exploded last year on the first hearing, *nemine contradicente*, will be strongly driven in again here, and I am sure that if I had had two companies I could have saved the pretence of it by putting them in the service, and that more effectually. The bearer, Captain Jeffreys, in the Golden Fortune is just come on board, and assures me that all is well in Virginia. I beg that the hired James with the residue of my company and servants may be despatched to me with all speed. You shall hear everything after I am arrived. *Holograph.* 2 *pp.* [*Col. Papers, Vol. XLIV., No.* 56, *and Col. Entry Bk., Vol. LXXX., pp.* 377–379.]

May 5. Council Chamber.

1351. Order of the King in Council. Report of 27th April (*ante, No.* 1348). Mr. Secretary Jenkins to communicate with the Dutch ambassador and the British envoy in Holland, and endeavour to procure the withdrawal of the English from Surinam on the same terms as were granted in 1675. [*Col. Papers, Vol. XLIV., No.* 57, *and Col. Entry Bk., Vol. XLVI., pp.* 424, 425.]

May 8. Newport.

1352. Governor Peleg Sanford to William Blathwayt. Enclosing replies to the Committee's enquiries from Rhode Island, and a letter

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to the King from the General Assembly. *Endorsed*, "Recd. 30 June 1680." 1 *p.* [*Col. Papers, Vol. XLIV., No.* 58.] *Enclosed,*

1352. I. Answers to 27 enquiries of the Committee for Trade and Plantations, on government, trade, &c. Militia consists of 10 companies of foot; have nine towns or divisions; export horses and provisions, and import a small quantity of Barbadoes goods for supply of their families; have above 500 planters and about 500 men besides; there may be about 200 whites and blacks born in a year, and about 50 marriages a year; 455 burials in the last seven years. They have no merchants, but most of the colony live comfortably by improving the wilderness; great want of men of considerable estates; there are no customs on imports or exports. Baptists and Quakers are the most that publicly congregate together, but there are others of divers persuasions who all enjoy their liberties; know of no Papist among them. Leave every man to walk as God shall persuade their hearts and to have liberty to frequent any meetings of worship; have no beggars and vagabonds, and for lame and impotent persons a due course is taken. Their predecessors forty years since left their native country because they could not in their private opinions conform to the liturgy, forms, and ceremonies of the Church of England, and transported themselves over the ocean seas to dwell in this remote wilderness that they might enjoy their liberty in their opinions. They on application to His Majesty obtained a charter full of liberty of conscience, in which there is liberty for any persons that will at their charges build churches and maintain "such as are called ministers" without the least molestation. *Endorsed*, "Recd. 30 June 1686." 3 *pp.* [*Col. Papers, Vol. XLIV., No.* 58 I., *and Col. Entry Bk., Vol. LXI., p.* 67.]

May 11. **1353.** Minute of Council of Barbadoes. Ordered, that Solomon Eccles be committed to the custody of the Provost Marshal for public speaking and uttering blasphemous and seditious language as deposed to before Samuel Husbands, Justice of the Peace, and that John Hallett, Treasurer of the Island, who prosecuted him under the Act "To prevent the people called Quakers from bringing negroes to their meetings." [*Col. Entry Bk., Vol. XI., p.* 314.]

May 12. **1354.** Journal of Assembly at Barbadoes. But six members being present, the House after waiting till three o'clock in the afternoon adjourned to 9th June. [*Col. Entry Bk., Vol. XIII., p.* 388.]

May 17. **1355.** Lords Proprietors of Carolina to the Governor and Council of Ashley River. We desire you again to take notice that Oyster Point is the place that we appoint for the port town to be called Charles-town, and to take care that all ships that enter the Ashley and Cooper rivers do load and unload there. Each of the Lords

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Proprietors is to have five acres reserved within the said town for the town lot, which you shall cause to be run out to such as shall send to demand it in such places as their agents require. And you will leave as much land in one piece in other convenient places for the Lords that do not send to demand it, taking care always for the regularity and straightness of your street as directed in our last. And since the taking up of town lots by persons who do not build thereon may be a means to hinder others who would presently build, thereby delaying the building of the town, you are to pass the grant of every man under the decree of a Proprietor, with a proviso that the foundation of his house shall be laid in less than one year and a house erected before the expiration of two years; otherwise it shall be lawful for any other to take the said land and build thereon. And if any person having already erected one house on his town lot desires to build more, we are content that he shall have more lots, provided he will erect a house of at least thirty feet long and sixteen feet broad and two stories high, besides garrets, in each lot within twelve months after taking up the lot. Mr. Beresford having given us assurance that he will in three years' time have over forty able persons upon his plantation, we have granted him a manor of 3,000 acres of land, for which you will pass him a grant when he desires it. We are informed that there are many whales upon the coast of Carolina, which fish is reserved to us by our fundamental constitution. We have notwithstanding thought fit (for the benefit of Carolina) to give all inhabitants of our province free leave for seven years from Michaelmas next to take what whales they can and convert them to their own use. And this concession you are to make public that any who will may take the benefit of it. That more than ordinary care may be taken to do justice to the Indians, we have appointed by our Commission a particular judicature for that purpose; you will publish this and yield obedience thereto. We have also granted 3,000 acres of land to Mr. Christopher Smith in the same terms as we have granted them to Mr. Beresford; but note that if the persons to whom we have made these grants fail to bring in the hands within the time that they have promised "you are at liberty to grant to other persons so much of the said land, taking it proportionally fronting to the river as after the rate of 70 acres per person they shall have failed to bring of the number promised." *Signed*, Albemarle, Berkeley, P. Colleton, Craven, Shaftesbury. [*Col. Entry Bk., Vol. XX., pp.* 147–149.]

May 17. **1356.** Commission from the Lords Proprietors of Carolina to Colonel Joseph West, one of the Landgraves of Carolina (or to the Governor for the time being), Andrew Perceval, Maurice Mathewes, William Fuller, John Smith, Jonathan Fitz, and John Boone, appointing them or any three of them to take cognisance of and determine any disputes between Indians and Englishmen. *Signed and sealed by the five proprietors named in the preceding abstract.* [*Col. Entry Bk., Vol. XX., pp.* 149, 150.]

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[May 17.] **1357.** Instructions to the Commissioners aforesaid. (1) To meet and sit once in two months on a fixed day at Charlestown; and if there be any occasion the Governor and three of the Commissioners may summon the rest to sit elsewhere between the fixed days. (2) To take care that no Indians that are friendly and that live within 200 miles of the territory be made slaves or sent out of the country without special orders. (3) To examine all quarrels likely to produce misunderstanding between the Proprietors and the Indians and report to the Grand Council the best means of reconciliation. If the Grand Council will not act, they are to report to the Proprietors. (4) To regulate all trade difficulties between Christians and Indians, but not to meddle with any orders given or to be given concerning the trade with the Vestos or other remote tribes. Their powers are to redress injuries done to Indians, not to involve the Proprietors in war. (5) To represent to the Governor and Council any case where an Indian is deserving of reward; and if anything be defective in this matter that concerns the Proprietors' interest to report the same to the Proprietors. (6) To keep a book of their proceedings, orders, &c., also the petitions, grievances, &c., of Indians, the latter to be attested by the Commissioners. This journal to be kept by the Secretary of the Province and a copy therefore sent home every year. (7) To publish their Commission. (8) All embassies from Indians about peace or war to go to the Governor and Council, all leagues and treaties being left to the Governor and Council, and grievances only left to the Commissioners. *Signed* as the foregoing. [*Col. Entry Bk., Vol. XX., pp.* 150–152.]

May 18. Nevis. **1358.** Governor Sir William Stapleton to Lords of Trade and Plantations. Your orders of the 23rd January and despatches for the other Islands reached me on the 8th instant; also the order for 1,500*l.*, which is not enough to complete the building of the faces and flanks of a good fort. There is one point in connection with the seizure of the English ship by the French on which you may wish to be satisfied. By the sentence of the French Judge the seizure was made on pretence that the goods were brought to St. Christophers by a Dutch ship from St. Eustatius. I protest before God that there is no such thing really as goods brought by a Dutch ship to English St. Christophers—to the best of my knowledge and as far as any negative can be sworn to. The partial Judge Dupas never wanted a pretence for biassed judgments, and so I told the French General when I met him. But if there were any such thing as goods brought by a Dutch ship to St. Christophers, where is his reason or jurisdiction for condemning an English ship for it? The truth is that after the trial, but not before nor during it, there was a Dutch ship at St. Eustatius, which might have traded there in defiance of me, I having no fort built nor guns mounted there. Hearing that she was there, I ordered the Captain of the ketch (copy of order enclosed) to seize her; but the bird was flown, and I thereupon dismissed the then Commander and appointed one Captain Peter Batterie Commander in that place.

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"It were to be wished that St. Eustatius, Saba, and Anguilla were as much under water as above it, so the people were off."

In accordance with your orders of 14th November (which took twelve weeks in its passage) I have sent an express to these Islands to learn their past and present condition. It is impossible to restore them to the state in which they were when taken by me; for St. Eustatius was subsequently retaken by Mynheere Byncke and Everson, who plundered their own nation and the few of ours that were there. After they were gone for Virginia and New York, some poor people left there for their poverty and a few others who had come there since the peace, applied to me for protection, and in the King's name I did protect them from the French. The only expense on this account was 16,000 lbs. of sugar, which at our prices current is 100*l.* sterling, and fifty muskets out of the King's stores. I await your decision whether this should be charged against the States-General or His Majesty, only remarking, if it be urged that the money was spent in preparing defence against the Dutch, that they themselves pillaged the Island, while I never took the value of a sixpence from it. I beg to be pardoned if I do not answer your questions fully in this letter; this is rather an acknowledgment than a report, which I have not yet had time to prepare. Saba is in a better condition than when taken; it matters not much how soon it is restored to the Dutch. Pending receipt of the King's orders for restitution I shall endeavour to persuade as many as I can to go to St. Christophers or Antigua, or any other of these four Islands that they may prefer, but they are such a mixed brood that they are more prone to stay than come off. If you will search the records of the old Committee of Plantations you will find the former and present condition of the two Islands as well described as in any letter that I could send. My care must now be to prevent their trading, which I judge to be the design of the States or the Proprietors, the Dutch having now no sugar colony in these parts since the Indians have confined them to their Surinam fort. They will lose that unless reinforced, part of the succour having, as I am told, been captured by the Algerines. I must beg you to procure me the payment of my arrears in Sir Tobias Bridge's regiment. I am at more contingent charges than any Governor, owing to the dispersion of my Government and its intermixture with French Islands. Saba was taken by English privateers 5th August 1665; retaken by John Sympson, Governor of St. Martin's; taken from them in the last war by my Commission, 4th July 1672. St. Eustatius was taken 23rd July 1665 by the privateers; retaken from the Dutch by my Commission on 4th July 1672 as above. Both Islands are very insignificant for any settlement. *Holograph.* 2 *pp. Endorsed,* Read 21 July 1680. [*Col. Papers, Vol. XLIV., No.* 59, *and Col. Entry Bk., Vol. XLVI., pp.* 426–429. *Annexed,*

1358. I. Order to Captain James Aire, of the Deptford ketch, to seize a Dutch vessel reported to be at anchor in St. Eustatius Roads. Dated 29th November 1680. [*Col. Entry Bk., Vol. XLVI., p.* 429.]

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May 18. Nevis.

1359. Governor Sir William Stapleton to Mr. Secretary Coventry. I received by Captain Crispe your letter respecting the negotiations that are to be set on foot in France for the Treaty of Neutrality, for which and for all your care my hearty thanks. It is no small shame to the French General that the Treaty is not confirmed, for he pretended to me that his power was absolute. Both he and Count d'Estrées believed mine to be deficient, whereupon, at the supplication of the inhabitants, I consented, much against my will, to give supernumerary hostages. I suppose they hold for a maxim in that Court an answer given once by Cardinal Mazarin in my own hearing to an officer who alleged a promise made to him, "Le roy n'est pas esclave de sa parolle." It was during that King's minority at Fontainebleau. Pray recommend the affairs of these Islands to Lord Sunderland or to any others that may be concerned. *Holograph.* 1 *p.* *Endorsed,* Recd. 27 July 1680. [*Col. Papers, Vol. XLIV., No.* 60, *and Col. Entry Bk., Vol. XLVI., pp.* 429, 430.]

May 18. Boston.

1360. Governor Bradstreet to the Committee of Trade and Plantations. Encloses answers to inquiries. Desires His Majesty and their Lordships to be fully informed of the state and condition of the Colony, as, he understands, there have been several misinformations, as, for instance, that they have no right to land and government, that they protected the regicides, which is manifestly untrue, and that they violate the Trade and Navigation Acts, whereby His Majesty is damaged to the extent of 100,000*l.* yearly. But, on the strictest inquiry from merchants, it is found that there has never been 5,000*l.* irregularly traded, and then the damage is inconsiderable, as for what they carry hence they pay full custom at the place from whence they first bring them. Has helped Mr. Randolph as much as he could, who has been very active; does not hear that he has met with any forfeits there to bring to trial; he has complained of affront and discouragement, which would have been severely punished had the persons been known; the people here show him little respect, as they look upon him as one that has sought the ruin of the Colony by incensing His Majesty and their Honours against it. *Signed,* Simon Bradstreet. *Endorsed,* Recd. 29th June 1680. 1 *p.* *With seal.* *Enclosure,*

1360. I. Answers from Massachusetts to the 27 inquiries of the Committee for Trade and Plantations, concerning government, population, trade, &c. Have no standing forces, but in each of their 40 towns a foot company of listed soldiers, trained six times a year; in Boston there are eight, in Salem two companies; have also six or seven troops of horse. No privateers or pirates frequent their coasts; perhaps once in seven or ten years a prize may be brought to the harbour; two years since Captain Bernard Lamoyne, a Frenchman, brought a Dutch prize taken on the coast of Cuba. The strength of their neighbours is not great; the greatest strength of the Indians since the war being the Maquees 200 miles

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to the west towards Canada; have little commerce with the French at Canada, who are reported to be 4,000 or 5,000 men; they at Nova Scotia are few and weak. Their bounds are by land 40 or 50 miles, by sea not more than eight or ten leagues; not one acre of ten or twenty in many places improvable. Chief trading towns, Boston, Charlestown, and Salem, a little trade for country people at Newbury and Ipswich; houses in the country generally of timber, many with strong palisadoes; since the last great fire in Boston it is ordered that all houses should be built of brick or stone, which will yet hardly be attained by reason of the inhabitants' poverty. The country is divided into about 40 divisions; in Boston there are three large churches, with four ministers, in the other towns generally one minister, sometimes two. Have few manufactures vendible in foreign parts; the linen and woollen cloth, shoes, hats, &c., made there are chiefly used in the country; their staple commodities are fish, peltry, horses, provisions, cider, boards, timber, pipe-staves; fish formerly more beneficial for trade with the plantations in America than now, wherewith their merchants produced sugar, rum, indigo, cotton-wool; tobacco which they transport usually in their own vessels to England; some pipe-staves and fish sent to Madeira for wine. There is good timber, tar, pitch, and iron made in the country, though of no great quantity; hemp and flax grow well, but labour is so dear that it cannot be made a commodity to send to other parts; their rigging is sent from England much cheaper than it can be made there. The country in general is very poor, and it is hard for the people to clothe themselves and families, but they make a good shift for victuals owing to the free allotting of lands at their first coming thither. Near 20 English merchants there, and as many more trading thither, no foreign merchants. Very few English, Scots, Irish, or foreigners have come to plant there for seven years; they rather go to Carolina and places less inhabited, all their lands near the sea-coast being appropriated, while to subdue the upper country is more difficult, and must be done by degrees by the settled inhabitants. No company of blacks has been brought there for fifty years from the beginning of the plantation, but one small vessel arrived two years since after 20 months' voyage from Madagascar with 40 or 50 negroes, mostly women or children, who sold for 10*l.*, 15*l.*, 20*l.*, which stood the merchants in near 40*l.* apiece one with another. Now and then two or three negroes are brought from Barbadoes and other English plantations and sold for about 20*l.* apiece, so that there may be in their government about 120, and it may be as many Scots bought and sold for servants in the time of the war with Scotland, and most

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now married and living there, and about half so many Irish. Not above five or six blacks born in a year, none baptised; about 400 or 500 whites born one year and another, most baptised except those who do not desire it. About 200 or 300 marriages a year; generally there are more born than die, except at the Indian war, when 700 or 800 died in war and no less from small-pox. There are two or three merchants worth 18,000*l.* apiece; he is counted a rich man in the country who is worth 1,000*l.* or 1,500*l.*; it must be a very great stock of cattle that will amount to 500*l.* There are about 100 or 120 ships of all kinds trading there, their own or English build; six or eight English ships come in a year. The obstructions to trade are the swamping of markets with English goods, the Algiers men-of-war infesting the seas, the French at Nova Scotia and the Governor of New York interrupting their fishing, and the paying double customs for sugar, indigo, cotton-wool, first at the places where they are laden and again in England. The greatest encouragements to their trade would be the confirmation of their privileges and making them a free port. No duties on exports, 1*d.* a lb. on imports, 1*s.* 8*d.* a head poll-tax, and a small rate on wines imported and retailed, amounting in all to 1,500*l.* a year, which is all the revenue they have. Their religion in doctrine is the same with the reformed churches, in discipline congregational, except about 80 or 100 Anabaptists, generally of the meaner sort, and near half so many Quakers, whom they account not among the number of Christians. The instruction of the people is by public preaching and lectures, catechising the youth, &c. In Boston ministers are maintained by a voluntary weekly contribution, in the rest of the towns by a yearly assessment of the inhabitants, to which they freely assent, the several courts taking care that all ministers have comfortable maintenance. Have no beggars and few idle vagabonds, except now and then some few Quakers from Rhode Island; all towns are required to provide for their poor and impotent. *Endorsed*, Recd. 28th June 1680. 5 *pp.* [*Col. Papers, Vol. XLIV., No.* 61, *and Col. Entry Bk., Vol. LXI., pp.* 40-55.]

May 20. Port Royal. **1361.** The Council of Jamaica to Lords of Trade and Plantations. On reading your Lordships' letter of 14th January we must express our satisfaction for His Majesty's care in all the methods of government appointed for this Colony, and in requiring frequent reports of all transactions and of our opinions for the improvement of the Island. Our transactions and debates in Council have been inconsiderable since the dissolution of the Assembly. We have met but three times—for swearing in the new Chief Justice, for the regulation of cask, and for adding a supplemental clause to the Revenue Act. As to what passed during the sitting of the

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Assembly, Lord Carlisle has doubtless acquainted you, the said Assembly allowing us (according to this new model, wherein the word Council is omitted from the enacting part) so small a share in the legislative authority that they would never vouchsafe us debate or conference on any point in difference, thereby rendering us only a useless part of the Government, to be bound and concluded by all they shall do or say as our representatives under their title of General Assembly of the Island.

As to our trade, nothing can further it more than a firm and uninterrupted preservation of the peace made with the Spaniard in these parts. Though instructed by the King to this end, the Governor can do little from want of ships to reduce the privateers, and of plain laws to punish them. Could this peace but be well kept, a good and neighbouring correspondence would follow, and a private trade connived at by the Spanish Governors and officers both on the Main and in the Islands adjacent to the great expense of our English manufactures, and the general benefit of the nation, as well as of this Island and the shipping trading unto it (*sic*). For the vast duties paid in Spain on our English goods, and the great advance upon them made by the Spaniards (with all the charges of transporting them here to the West Indies), will by this more direct conveyance come to be divided between His Majesty's subjects, and be an inducement to afford them here to the Spaniards on much easier terms than can be brought from Spain, and an encouragement to the Spaniards not only to admit us to a private trade in their outports and creeks, but also to come to us and bring us money and goods wherewith to purchase our English commodities. We cannot give better proof of this than the trade that at present is, and of late hath been, driven with them by divers people from hence, notwithstanding the detestable depredations of some of our nation (who pass for inhabitants of Jamaica) under colour of French commissions. How much greater would their confidence be in us could these "ravenous vermin" be destroyed. His Majesty to this very end keeps a fourth-rate frigate or two constantly about this Island, but with no better success than to drive the privateers into distant and secure creeks and holes to commit their robberies on canoes, sloops, and barks where no fourth-rate frigate can follow them, as they have done in the bays of Nova Hispania and Honduras, and in the gulf of Matica. Despairing of any countenance or protection here, the privateers resort for protection to the French, thereby strengthening them and weakening us, and they never want specious protests for irreconcilable hostility to the Spaniards in the horrid butcheries of divers of their fellow subjects, who have unhappily fallen into their power. The number of the privateers is also increased hereby, for any sailors that escape these cruelties forget their duty to God and man, and give themselves wholly up to implacable revenge, having no hope of redress here or in Europe.

For the preservation of peace, therefore, it is absolutely necessary that the Spanish Governors and officers in the West Indies do their duty, for all the acts of our privateers are disowned by

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us and every endeavour made to bring the offenders to justice, whereas the acts of the Spaniards are encouraged and owned by authority. We humbly suggest, as the surest way of putting down these incorrigible robbers, the ratification of an Act, formerly transmitted by us, declaring it felony, without benefit of clergy, for any of the King's subjects in the West Indies, to serve any foreign prince against any other foreign prince at amity with England without a licence from the Governor. And for the better enforcement of the Act we suggest the appointment of a couple of sixth-rate frigates or "yatches" which can follow them into shoal water, with a fifth-rate frigate to support them, with orders to demand and take from them all English subjects in their service. They are now grown to such a height of strength and desperation that a smaller force will not suffice for the first year. They have one ship of 28 guns, one of 24, one of 12, one of 8 (besides sloops and barks), all extraordinarily well manned, and much better armed than any of our European shipping. The biggest of them was the prize taken by one Peter Harris from the Dutch, in chase of which His Majesty's ship Success was unfortunately lost.

Lastly, as your Lordships require our opinions as to what is best for the improvement of the Island, we would represent to you the discouragement given to planting by the diversity of sentiment and opinion respecting the new model of Government, which we hope, by your Lordships' prudence and Lord Carlisle's mediation, may be in some measure removed. We humbly offer it to your better judgments (as taught by experience what is best for the King's service), that the same trust may be lodged in the present Governor as in his predecessors for framing and passing of laws. If anything should pass us by error or mistake it may be soon and easily remedied as soon as the King shall declare the determination of that Act. *Signed*, Hen. Morgan, F. Watson, Rob. Byndloss, Charles Whitfeld, Tho. Ballard, Tho. Freeman, John Webb, Hder. Moleworth, Wm. Ivy. "Subscribed at the Council board in my presence at Port Royal, 21st May 1680." *Signed*, Carlisle. *Countersigned*, Rowland Powell. "Read, 10 Sept." 4½ *pp.* [*Col. Papers, Vol. XLIV., No.* 62, *and Col. Entry Bk., Vol. XXIX., pp.* 405–412.]

May 21. Barbadoes.

1362. Governor Sir Jonathan Atkins to Lords of Trade and Plantations. My last was of 1st April, wherein I answered as many as were possible in the time of your questions of 26th June 1679. Your letters come so confusedly to me that it is impossible to answer them in order, for by reason of cross-winds the letters of August, November, and January came to my hands not long before April, and the alarm of Algerine pirates joined to the former misfortune of cross winds makes their voyages long. Some were fourteen, some seventeen weeks on the voyage. The backwardness of the sugar crop this year has caused some ships to wait here six months for freight, very little sugar being yet ready for them, and the dread of the Turks makes most of them resolve to go round byIreland and Scotland, which will make their voyages longer than ever. I

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am forced to mention this since I find your Lordships much inclined to believe that when returns come not according to expectation the fact is imputable to negligence or disobedience, for which there is no reason on my part. In further answer to your letter of 16th January 1679–80, it is true that when I found out my mistake in passing the Act for the 4½ per cent. I did ingeniously confess my error, since your Lordships thought it such, though I gave you the reasons which induced me to it, and which might have prevailed with a wiser man than myself, considering that I could not convince myself that any harm would accrue to the King from it. I hope your Lordships will be more favourable than to draw the conclusion that because I made that one mistake I am therefore always in fault, for my sole endeavour is to satisfy you. It is true also that I assented to some temporary laws, according to the occasion whereby they were enforced and in pursuance of the constant practice of the Island, such as the impost on liquors. The taxes raised by the country for repair of existing works and construction of new, for providing ordnance and arms for defence of the Island, and for payment of gunners and matrosses and for many other charges, all of which determine and cease when the occasion for such extraordinary provision passes away, have been a very great charge to Barbadoes. The taxes once imposed, the Barbadians order the collecting and disposing of the money. I never concerned myself with any of the public moneys, nor touched them. I gave my orders as to repairs, new works, arms and other matters of military defence, and they appoint their own Treasurer and Receiver and Commissioners to see the work done. In my Commission it is laid down that the laws to which I am to assent should be made as near as may be to the laws of England. I found that many of the laws of England were temporary, some till next session of Parliament, some for a longer time; and as it has always been the practice here to make laws according to the necessity of their duration, I esteemed it no crime to follow those examples. Your Lordships are pleased to say in the same letter that you are well informed that divers Assemblies have met since the 2nd October 1678, and that many Acts were since passed which have not been transmitted to you. The Acts now sent will show that you were mistaken. You acknowledge receipt of the Acts to that time, which must needs be within the time limited, since it is not four years since my assumption of the Government to the time when I sent them, and from the day of their despatch to the day when they came to you must needs be a competent time. Neither, again, were the Acts made at the same time, but at different times according to the different adjournments, which are sometimes for two months, sometimes for three. When the Legislature does sit, it seldom sits more than a day, and when Acts are sent up from the Assembly to the Council they sometimes lie under consideration for a month or two, or are returned with amendments which delays their passing still longer. I have often repeated to your Lordships that by express law of the country the Assembly can sit no more than a year, and that a new one must then be summoned as occasion

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requires, so that from the time noticed by your Lordships there was a cessation; and although there was an Assembly at that time in being, yet few Acts were passed, as the dates of those now transmitted will show. The Assembly passed three other Acts as well as those sent, but the Council conceived them to encroach on the Royal prerogative and laid them by. By one of them they undertook to erect a new Court of Chancery and to appoint fees and orders for the same, imposing intolerable penalties upon the offenders that should take or proceed by any other orders than those expressed in the Act, and concluding with the binding proviso that it should not be in the power of anyone to pardon or remit these penalties. All these matters were well enough settled already, and the Council utterly rejected the bill. The Council also rejected another Act, for Habeas Corpus, as unnecessary, unfit, and impracticable. I know of no one that has been imprisoned except condemned criminals since I came here, but one Mr. Smith, shop keeper in the town, who, having behaved himself very rudely and reproached one of the Council sitting in Court, was by order of the Council committed to the Marshal, and after a short imprisonment discharged. The third Act referred to is one concerning the Jews. The King by several Letters Patent grants denizenation to most part and indeed to all the considerable part of that nation here, amounting to 28 or 30 persons. The Assembly would deprive them of the benefit of His Majesty's grant, as the severe Act presented by them will show. These three Acts were most of the work done by that Assembly, which the Council, finding the King's prerogative so much concerned therein, thought not fit to offer to me to pass. The present Assembly, which was not summoned until some months after, was called to provide money to finish the fortifications, a very necessary work. The Acts passed since their sessions, and all others that I know of, I have sent to you according to your late orders. I submit it to your Lordships to consider whether those are Acts fit to be passed or not, and shall proceed according to your resolutions. As to the next paragraph in your letter, I think I told you in my last that the churches, thanks to my Lord of London, are well supplied with orthodox ministers, who receive a competent maintenance from the country, so that they do not regret their voyage. I also gave you full particulars of the militia, of the judges, of the land and the negroes. I have also delivered your letter to the Council, which has been recorded according to your orders, also the letters to the Clerk of the Assembly and to the Secretary.

I have often complained of the great invasion of the rights of the Government by the granting of Patents for all the officers of this Island, but as yet without remedy. Now, however, that your Lordships have called attention to this evil, I doubt not that you will prevail with His Majesty to redress it. It must needs be very prejudicial to a place to have all the offices of trus in the hands of strangers, most of them little accountable, and without exception acting only by a deputy of as little credit as themselves. By my commission I am not prohibited from disposing of any office unless

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it be such as was formerly granted by Patent, which were only two. The first of these is the Secretaryship, granted to Mr. Morley, whose Deputy is Mr. Stede, a man of ability and fit parts for the post; the other is the Marshalship, vested in Mr. Stede himself, but the profits thereof are so small that it will scarce maintain his deputy with the charge belonging to it. Notwithstanding the King's Patent and a law of the country that all offices of trust shall be disposed of by the Governor, there is not the smallest office, though not worth the expense of obtaining, but is under a Patent. When I came first I confirmed the place of the Clerk of the Market by a patent, as they call it here, under the seal of the country, which according to my Commission is good against the King and his successors. But one Mr. Wyatt obtained a Patent under the Great Seal, and the other gentleman was removed. I was not willing to dispute it, he being very old, and having served the late King and being a great sufferer, as they pretended. But this poor gentleman lived not long, and the next news I hear is that another Patent was granted in the name of one Mr. Thomas Robson, who likewise appointed his deputy. And there the office now remains. The breach thus begun upon the Government, the next Patent was obtained by one Abraham Langford for the Naval Office, which certainly by the Acts of Parliament and of Navigation were never intended to be disposed of by any but the Governors of the Plantations, who are solely accountable for the same, as having power to erect the office and being subject to great penalties for any miscarriage therein. The Governor forfeits 1,000*l.* and is declared incapable of serving the King, yet still this man is imposed on me, and I have no security from him or his deputy. The next Patent was obtained by one Jones, who having lived some time by play and other courses as idle here, went to England and obtained a Patent for the Post Office, which, indeed, is no office, at least no office established, but only permitted by the Governor for the convenience of those that lived far up country, in order that when ships arrive the letters may be sent there where people can know where to find them. The post is of so small concernment that it was not worth the cost of the Patent, wherefore Jones obtained another for the Registrar's place of the Admiralty. The two together are not worth enough to maintain a deputy, though he has ordained a deputy to each; but the King has revoked this last by Privy Seal and replaced the man who was turned out. The last Patent was brought me by one Mr. Binkes who is deputy's deputy to two persons whom I never heard of before. Their names as inserted therein are John Benlows and Samuel Winslow. They have obtained a patent for two lives of the place of Examiner and Clerk of the Chancery which I had disposed of before, on the death of the late officer, by a grant under the Seal of the Island, as I had power to do. But these two places would not content them, and they got the Clerk of the Crown's place joined in the same Patent, which, though of little value, would serve to recompense some honest and deserving person. For my part I never did nor ever will make profit out of any office whatsoever, whereby the King's honour

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may seem to be lessened and his interest converted into disservice, which must needs follow the diminution of the Government's authority, for where there is no dependence, obedience seldom follows. Knowing the power of my commission and having received your Lordships' letter, I have not accepted that Patent and shall not until I receive further orders. I have at last procured a chart of the Island, but I cannot commend it much. It cost the fellow a good sum of money to get it perfected, for he was forced to send it for England, but that it is true in all particulars I cannot assume. There is none that ever undertook it here except himself. He is a Quaker, as your Lordships may perceive by his not mentioning the churches nor expressing the fortifications, of both which they make great scruple. *Endorsed*, "Recd. 13 August 1680. Read, 17th. Transmitting several Acts and a Map." 6½ *closely written pages.* [*Col. Papers, Vol. XLIV., No.* 63, *and Col. Entry Bk., Vol. VII., pp.* 11–20.]

May 22. Boston. **1363.** The Governor and Company of Massachusetts to the Earl of Sunderland. At a General Court convened in obedience to His Majesty's letter of 24th July 1679, it was ordered that the number of assistants should be filled up, all military commissions run in His Majesty's name, and all persons coming to any office or trust take the oath of allegiance; all which is practised. All their commissions for the government of New Hampshire have been recalled, the Governor has taken the oath to observe the Trade and Navigation Acts. A considerable number of the members of the General Assembly not being able to attend from the extremity of the season, further consideration of the remaining particulars of His Majesty's letter was deferred till this present court of election, wherein they are now assembled, though prevented from making further answer by the sudden departure of the ship by which this is sent. Know no colour for the complaint of their severity from the people of Maine, the Massachusetts having defended them from utter ruin during the Indian war at the charges of the Massachusetts, amounting to many thousands of pounds. *Signed*, Simon Bradstreet. 1 *p.* [*Col. Papers, Vol. XLIV., No.* 64, *and Col. Entry Bk., Vol. LXI., pp*, 85, 86.]

May 22. **1364.** Journal of Assembly of Nevis. The circular letter of the Lords of Trade and Plantations to the Clerk of Assembly, dated 14th January (*ante, No.* 1263). Proposal by the Governor, touching the continuance of the fort on Pelican's Point, that the Assembly meet on Tuesday to consider of it. [*Col. Papers, Vol. XLIV., No.* 65.]

May 24. **1365.** The Duke of York to Sir Edward Andros. Recent proposals tendered to me about farming my revenue in New York have given me occasion to make further inquiry thereunto. I have therefore sent out Mr. Lewen to make such inquiry and expect you to give him all possible help. On his arrival I think it well that you should repair hither not only to give us information, but also

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the better to obviate such matters as might, however undeservedly, leave a blemish on you. You may commit the government to the care of Lieutenant Brockholes. [*Col. Entry Bk., Vol. LXX., p.* 31*b.*]

May 24. St. James'. **1366.** Sir John Werden to Sir Edward Andros. I have received yours of 10th and 15th February, but as it is the Duke's pleasure that you repair hither as soon as you can, I can then better say all that I have to tell you. Meanwhile the Duke approves of the several officers proposed by you consequently on the death of Lieutenant Salisbury. You will see from the Duke's letter and from Mr. Lewen's commission that what we chiefly inquire after is the charge and revenue of your Government, of which we have met with calculations so vastly differing from your accounts that the Duke has sent out Lewen if for no more than to justify you. For the rest and all that relates to your behaviour in your government, whatever the complaints and charges against you, it is best that you should be here, not only to defend yourself but to explain these and other points in your Government as to which I, for my part, can only confess to having loose and scattered notions. [*Col. Entry Bk., Vol. LXX., p.* 32.]

May 24. **1367.** Commission from the Duke of York to John Lewen. To inquire and find out the estate, rents, revenues, and perquisites of his lands in New York and Albany, and to be his agent in America generally. 1¼ *pp.* [*Col. Entry Bk., Vol. LXX., pp.* 28, 29.]

May 24. **1368.** Instructions to John Lewen in his capacity as Agent to the Duke of York. Fifteen heads. [*Col. Entry Bk., Vol. LXX., pp.* 28–31.]

May 25. **1369.** Journal of Assembly of Nevis. Nine members present. Address to the Governor, that looking to the inconsiderable sum given by the King towards the building of the fort on Pelican's Point, the work be not resumed as his Excellency had proposed. Ordered, that an answer to the letter of Lords of Trade and Plantations of 14th January be drawn up. Copy of the letter, dated 10th July, acknowledging receipt of the circular, and signed by Thomas Thorne, Clerk of Assembly. [*Col. Papers, Vol. XLIV., No.* 65.]

May 26. **1370.** The Secretary for Jamaica to Lords of Trade and Plantations. Your Lordships' letter of 14th January received. The suddenness of my Lord Carlisle's departure hath prevented my discharging my duty so amply as your Lordships direct, having by his Excellency made as large a return of obedience as the time would enable me. I enclose the muster rolls of all the Horse and Foot in Jamaica, the Surveyor-General's account of land "run out" by him, and present state of Jamaica's Government, both civil and military. I have not received any account of the numbers of whites and blacks, dead and born, from any

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Custos Rotulorum, except from Sir Henry Morgan and Colonel John Cope, in Port Royal and Guanaboa. Captain Charles Morgan's return of the stores in the forts is enclosed. I have again and again demanded from the Receiver-General a rental of the quit rents, but can get none from him. He alleges that he cannot as yet give a perfect one, which he hath been long and still is endeavouring to effect by searching after document patents, either off the Island in possession of persons not known, or unwilling from some sinister end to produce them, or which have not been enrolled in the office of enrolments. I shall pursue the matter till I get it to a better maturity, and meanwhile have already a rental from the Clerk of the Patents. Your Lordships' queries are before me, but from the pressure on the officers caused by my last demands I cannot answer them categorically yet. *Signed*, Rowland Powell. *Inscribed*, Received from E. of Carlisle, 20 Sept. 1680. [*Col. Papers, Vol. XLV., No.* 1; *and Col. Entry Book, Vol. XXIX., pp.* 412–414.] *Annexed*,

1370. I. A List of the several Regiments of Foot and Troops of Horse in Jamaica, with their several quotas :—

Regiment.	Number of Companies.	Officers and Men.
1. Port Royal Regiment, commanded by Sir Henry Morgan - - - -	10	1,101
2. Colonel Freeman's - - -	6	377
3. Colonel Cope's - - - -	8	535
4. Colonel Whitfield's - - -	7	661
5. Sir Francis Watson's - - -	5	496
6. Colonel Byndloss's - - -	6	592
7. Colonel Fuller's - - - -	7	420
In all - - - -	49	4,162

The Troops of Horse are six, with 364 men. Total officers and soldiers, Horse and Foot, 4,526.

1370. II. Abstract of the Port Royal Regiment under the command of Sir Henry Morgan, Lieutenant-General of Jamaica. "In all eleven hundred and eighty-one men, officers and soldiers, of which there are about a third part belonging to sloops and barks trading about the Island, and therefore inconstant in their appearances."

1370. III. Nominal Rolls of the Companies in the Regiment of Port Royal, Colonel Sir Henry Morgan, viz. :—

A. Sir Henry Morgan's Company, 4 officers, 76 men.
B. Lieutenant-Colonel Beeston's Company, 3 officers, 90 men.
C. Major Molesworth's Company, 3 officers, 152 men.
D. Captain Bach's Company, 3 officers, 124 men.
E. Captain Charles Morgan's Company, 2 officers, 92 men.

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F. Captain Anthony Swimmer's Company, 3 officers, 200 men.
G. Captain Richard Herne's Company, 3 officers, 107 men.
H. Captain Penhallow's Company, 3 officers, 139 men.
J. Captain Hudson's Company, 3 officers, 105 men.
K. Captain Hodgkin's Company, 3 officers, 66 men.

1370. IV. Nominal Rolls of the Companies in Colonel Thomas Freeman's Regiment of Foot, viz. :—
A. Colonel Thomas Freeman's Company, 3 officers, 75 men.
B. Major Edward Stanton's Company, 3 officers, 43 men.
C. Captain Classen's Company, 3 officers, 30 men.
D. Captain Fargar's Company, 3 officers, 55 men.
E. Captain Richardson's Company, 3 officers, 82 men.
F. Lieutenant-Colonel Whitfield's Company, 3 officers, 74 men.

1370. V. Nominal Rolls of the Companies in Colonel John Cope's Regiment of Foot, viz. :—
A. Colonel Cope's Company, 3 officers, 31 men.
B. Lieutenant-Colonel Aylemore's Company, 3 officers, 46 men.
C. Major George Reed's Company, 3 officers, 35 men.
D. Captain Edward Cooke's Company, 3 officers, 91 men.
E. Captain Benjamin Smith's Company, 3 officers, 65 men.
F. Captain Richard Fleminge's Company, 3 officers, 81 men.
G. Captain William Brewer's Company, 3 officers, 71 men.
H. Captain John Moone's Company, 3 officers, 78 men.

1370. VI. Nominal Rolls of the Companies of Colonel Charles Whitfield's Regiment, viz. :—
A. Colonel Whitfield's Company, 3 officers, 68 men.
B. Lieutenant-Colonel Samuel Barry's Company, 3 officers, 79 men.
C. Major Parker's Company, 3 officers, 96 men.
D. Captain Delacree's Company, 3 officers, 83 men.
E. Captain Henry Archbold's Company, 3 officers, 82 men.
F. Captain Francis Scarlett's Company, 3 officers, 120 men.
G. Captain John Parnaby's Company, 3 officers, 112 men.

1370. VII. Nominal Rolls of the Companies in Sir Francis Watson's Regiment, viz. :—
A. Colonel Sir Francis Watson's Company, 3 officers, 102 men.

1680.

B. Lieutenant-Colonel William Ivey's Company, 3 officers, 107 men.
C. Major Robert Varney's Company, 2 officers, 99 men.
D. Captain George Fawcett's Company, 3 officers, 69 men.
E. Captain Andrew Knight's Company, 3 officers, 74 men.

1370. VIII. Nominal Rolls of His Excellency's Regiment of Foot Guards, commanded by Colonel Robert Byndloss, viz.:—

A. Colonel Byndloss's Company, 3 officers, 81 men.
B. Lieutenant-Colonel Theodore Cary's Company, 3 officers, 117 men.
C. Major George Nedham's Company, 2 officers, 41 men.
D. Captain Edmund Duck's Company, 3 officers, 131 men.
E. Captain Henry Hezey's (? Vesey) Company, 3 officers, 33 men.
F. His Excellency's Company, 3 officers, 171 men.

1370. IX. Nominal Rolls of the Troops of His Excellency's Regiment of Horse, commanded by Colonel Thomas Ballard:—

A. His Excellency's particular Troop of Guards, 3 officers, 79 men.
B. Major Ayscough's Troop, 3 officers, 56 men.
C. Captain Henry Rymes's Troop, 3 officers, 56 men.
D. Captain Richard Brayne's Troop, 3 officers, 42 men.
E. Captain Julius Herring's Troop, 3 officers, 58 men.
F. Captain Thomas Reeves's Troop, 3 officers, 54 men.

The muster rolls of the infantry are in nearly every case made out in files, six men to a file, sometimes alphabetically only, more often according to the actual constitution of the file. In one case a company, evidently commanded by an old-fashioned officer, is mustered in files of ten men. The cavalry muster rolls are drawn up in three parallel columns according to the three divisions in which each troop was organised; the Captain's division to the left of the sheet, the Cornet's in the centre, and the Lieutenant's to the right.

May 26. 1370. X. The Surveyor-General's general abstract of land run out. The total of land granted is 68,534 acres, of which 17,983¾ acres are surveyed, leaving 50,550¼ acres. The quit rent of the acre land granted that is already surveyed is 36*l.* 1*s.* 10*d.*, and of the foot land 28*l.* 8*s.*, making in all 64*l.* 9*s.* 10*d.* *Signed*, R. Felgate, Surveyor-General.

1680.
May. 1370. XI. Returns showing the number of inhabitants, male and female, black and white, together with the births and deaths since the 18th July 1678.

—		Inhabitants.		Births.		Deaths.	
		White.	Black.	White.	Black.	White.	Black.
1370. XI.	In the Parish of Port Royal - -	554	228	37	9	32	9
1370. XII.	Port Royal, Middle Precinct - -	263	171	19	20	25	17
1370. XIII.	Port Royal, Western Precinct - -	806	271	32	4	26	7
1370. XIV.	St. John's - - - -	199	751	9	11	10	50

[*Col. Papers, Vol. XLV., Nos.* 1, I.–XIV.]

[May ?] **1371.** A brief account of the Government of Jamaica, Civil and Military. The Island is divided into fifteen parishes, which make several precincts or countries in which are Courts of Common Pleas and Quarter Sessions established. The Parishes are St. Thomas, St. David's, St. Andrew's, Port Royal, St. Catherine's, St. Thomas-in-the-Vale. St. Dorothy's, Clarendon, Vere, St. Elizabeth's, St. James', St. Ann's, St. Mary's, and St. George's.

—	Parishes.	Judges of Court of Common Pleas.	Custos Rotulorum.	Justices of the Peace.
Precinct (I).	St. Thomas. St. David.	Ralph Whitfield. Edward Stanton. Clement Richardson.	Thomas Freeman.	Ralph Whitfield. Edward Stanton. Clement Richardson. Thomas Ryves. Eleazar Wignall.
Precinct (II).	St. Andrew's.	Richard Brayne. William Parker. Edmond Delacree.	Charles Whitfield, J.P.	Samuel Barry. Richard Brayne. William Parker. Francis Scarlett. Edmond Delacree. John Parmaby.
Precinct (III).	Port Royal.	William Beeston. Reginald Wilson. Authory Swimmer.	Sir Henry Morgan, J.P.	William Beeston. John White. Reginald Wilson. Theodore Cary. Authony Swimmer. Richard Herne. Harbottle Wingfield.
Precinct (IV).	St. Catherine's. St. Thomas-in-the-Vale. St. Dorothy's.	(Supreme Court.)	Sir Thomas Modyford, J.P.	Robert Byndloss. Thomas Ballard. Samuel Long. John Colebeck. Samuel Bernard. Edmond Ducke. George Nedham. John Bourden. Humphrey Freeman. Rowland Powell. Fulke Rose. John Tolderoy.
Precinct (V).	Clarendon. Vere.	Theodore Cary. George Fawcett. Andrew Knight.	Samuel Long. J.P.	Robert Varney. George Fawcett. Andrew Knight. Thomas Sutton. William Dawkins.

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—	Parishes.	Judges of Court of Common Pleas.	Custos Rotulorum.
Precinct (VI).	St. Elizabeth's. St. James'.	Richard Scott. Jonathan Ashurst. John Barrow.	Thomas Full J.P.
Precinct (VII). [Each of these parishes has its own Court of Common Pleas, but one Commissioner of the Peace.]	St. John's.	Thomas Ayscough. Whitgift Aylemore. Richard Oldfield.	John Cope, J.
	St. Anne's.	Richard Oldfield. Richard Hemmings. William Drax.	
	St. George's.	Whitgift Aylemore. John Fountain.	
	St. Mary's.	Whitgift Aylemore. William Brewer.	

The Supreme Court of Judicature is establi
la Vega and held every three months.

Chief Justice: Samuel Long (late).

Judges: John Colebeck, Samuel Bernard, San

Attorney-General: Edmond Ducke.

Registrar: Reginald Wilson.

Provost Marshal: Edward Yeomans.

Judge of the Admiralty: Richard Brayne.

There are in the Island seven regiments
horse.

In the Parishes of:—

St. Thomas's - Colonel Thomas Free
Foot (*see ante, No.*
St. David's - Richardson's Compa
Captain Christopher
Captain Thomas Reev
(*see ante, No.* 1370 1

St. Andrew - Colonel Charles' Whit
Foot.
Captain Richard Bray
(*see ante, Nos.* 1370

Port Royal - Sir Henry Morgan's R
ante, No. 1370 III
Cary appears here
Molesworth, Captain
Robert Hewet inst
Hodgkins.

St. Catherine's - His Excellency's Regi
St. Dorothy's - tenant-Colonel Col
Bourden, Captains
St. Thomas-in-the-Vale - Edmond Ducke, Jol
Lieutenant-Colonel
Horse (*see ante.*
IX.).

1680.

Clarendon Vere	Colonel Anthony Collier's Regiment of Foot (Lieutenant-Colonel Samuel Long, no Major, Captains Robert Varney and George Fawcett, *see ante No.* 1370 VII., where the regiment appears as Sir Francis Watson's). Captain Henry Rymes's Troop of Horse.
St. John's St. Ann's St. Mary's St. George's	Colonel John Cope's Regiment of Foot (given here as of but six companies, Major Richard Oldfield, Captains Reed, Brewer, Cooke, and Moone, *see ante, No.* 1370 V.). Major Thomas Ayscough's Troop of Horse.
St. Elizabeth's St. James's	Colonel Thomas Fuller's Regiment of Foot (Lieutenant-Colonel Richard Scott, Major Samuel Jenks, Captains John Vassall, John Barrow, John Davis. *N.B.*—This regiment does not appear in the other return). Captain Julius Herring's Troop of Horse.

Signed, Rowland Powell, *Secretary*. 4 *pp.* [*Col. Papers, Vol. XLIV., No.* 2, *and Col. Entry Bk., Vol. XXIX., pp.* 434–440.]

May ? **1372.** Colonel Francis Moryson to [William Blathwayt ?]. I write in favour of the petition of a poor man, the only person saved of all those condemned in Virginia [Robert Jones of Charles City County, *see below, his petition*]. By my own and Lady Berkeley's means, I have been expecting some general act of grace, hoping to get his name inserted to save his fees; but now Lord Culpeper is going to Virginia, I conceive he will carry an Act of Oblivion with him, which will be as proper at this time for that meridian as it was formerly for England. If it should be omitted, I hear there will always be troubles there. It will be an act of charity to save the life of the poor man. *Encloses*,

1372. 1. Petition of Robert Jones, of Charles City County in Virginia, to the King. Sets forth his loyalty during the time of the unhappy troubles in England and the many wounds he then received; that he was taken prisoner by the said rebels and by them banished and sold into Virginia; that he was seduced into the late rebellion in Virginia, but returned to his obedience to the Government, and served under Colonel Epps, but was afterwards seized by Governor Berkeley's warrant, tried and brought in guilty of treason, and sentenced to death. Prays for pardon and forgiveness for his rebellion free of charge, being very poor, and that his poor estate may not be taken from him. 1 *p.* [*Col. Papers, Vol. XLV., Nos.* 3, 3 I.]

1680.
June 1. Windsor. **1373.** [Minute of] petition of William Penn, so Penn, deceased, for a grant of a tract of land north of Maryland, on the east bounded with D the west limited as Maryland is, and northward t plantable, which is altogether Indian. *With a* Committee of Council for Trade and Plantation: may be fit for His Majesty to do, and in case opinion that His Majesty may gratify petitione such limitations and other clauses as are fitting the grant. ½ *p.* [*Dom. Entry Bk., Chas. II. On a separate inserted leaf is written* "Board of 1680(–1). Report." "Grant to Wm. Penn of Countries—Newcastle, Kent, and Sussex, about 1

June 7. Boston. **1374.** Edward Randolph to [the Commissio Gave an account of his proceedings in papers s about fourteen days ago; cannot now send particu in a vexatious suit about a seizure of the pink Exp (180 tons) from Cork in Ireland. All endeavou him and get him in prison; had already been ar of 800*l.* by Grecian, the master of the pink, had directed that his bond should be accepted. Severa and three or four more expected from Holland, which makes them concerned to imprison him c this town. When prosecuting Grecian he was o informer spite of his deputation and instructions There is another court to-morrow, the magistrat him an attorney, expects to be cast whatever Placed his servant a fortnight ago in a ware were landed out of a ketch from Bilbao, who, was set on and beaten by four or five persons, w the goods. Made a deputy in Boston and Ch warned with his family out of doors by some who are traders and men in public authority, a any aversion to him but because of his unw vessels enter outward bound nor is any bond so that the commodities are shipped off whit please. Last Friday a sailor, who had been ab informed Randolph that the James of L Browning master, of 80 tons, square-sterned v image of St. James in the stern, had loaded 100 and was ready to sail; went to the Governor, knew nothing about it went with the Marshal her. Coming up her side was threatened to be returned and told the Governor, who gave or but she was towed away by Boston boats fro same time and place was a pink of 60 tons ri with logwood, belonging to Nicholas Page of bond, pretending to be bound for Newfoundl from the Governor; it was ordered that if he v he should be "knocked at head." This was

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made him unwilling to come with only such powers as derived from themselves, having been treated with respect in all other colonies. Know not the name of Page's pink, her master's name is Lud, but they change names and master as often as they please; the James of Londonderry belongs to Thomas and William Squire. After all this trouble is verily assured that he has broken the heart of this Irish trade. Has not yet heard from the Commissioners of Customs; if he hears not by Michaelmas, thinks it will be best to make a trip home, having his children to take care of. For His Majesty to write more letters will signify no more than a London Gazette. The news of trouble at home gives encouragement to faction in Massachusetts; has only hope and life left which he is unwilling to expose to the rage of a deluded multitude. Sends this by Mr. James Bollen, Secretary of New Jersey; it may be the last from him as he knows not whom to trust. Hopes their Honours will remember him at that distance. *Endorsed*, The Commissioners of the Customs from Mr. Randolph. "Recd. 10th August 1680." 4 *pp.* [*Col. Papers. Vol. XLV., No.* 4.]

June 7 to June 29. **1375.** Minutes of Council of Virginia. Address to the Governor requesting the reinstatement of Colonel Philip Ludwell in the Council, from which he was withdrawn owing to a quarrel with Colonel Jeffreys, wherein the latter refused the good offices of the Council to reconciliation. [*Col. Entry Bk., Vol. LXXXIV., p.* 33.]

June 11. Decision that an appeal lies to the General Assembly in the case of Sarah Bland against Colonel St. Leger Codd. [*Col. Entry Bk. Vol. LXXXIV., p.* 31.]

June 15. Order for inquiring into the petition of William Thompson. [*p.* 34].

June 16. Revision of a judgment of the General Court. [*p.* 32.]

June 19. Address to the Governor respecting the negotiations of Sir John Berry and Colonel Francis Moryson with the Indians. On above advice (given without the permits of the Council and Assembly) the King sent four rich coronets to four Indian princes. The Council fearing that these people may be heightened thereby, "especially by such marks of dignity as coronets, which they "humbly conceive ought not to be prostituted to such mean persons" unanimously beg the Governor to withhold these presents till the King's pleasure be further known. [*Col. Entry Bk. Vol. LXXXIV., p.* 39.]

June 23. Petition of Colonel Edward Hill, who finds himself, he knows not why, a mark for the Royal displeasure, and begs the Governor to certify as to his good character. The Council certified his Excellency that Colonel Hill has always been of good character and fame, and begs him to represent the same to the King. Petition of Mr. John Wright, minister, showing that Mr. Jonathan Davis, though not a qualified minister, hath, without leave given, assumed to himself the liberty of Wright's pulpit. The Council orders both parties to appear before it. Petition read of Thomas Phillips, a negro, against unlawful detention by a master to whom he has served his

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full time, and the party complained of ordered to appear in person before the Council. [*Col. Entry Bk., Vol. LXXXIV., pp.* 35–37.]

June. **1376.** Journal of House of Burgesses of Virginia. Speech of Lord Culpeper to the General Assembly of Virginia. Has not been unserviceable to them during his long absence in England. Recommends to them the Acts brought with him from England. Cannot at once settle the arrears of pay due to the soldiers, but will pay them out of his own salary next May if the Colonial Treasury should fail. Invites suggestions for the good of the country during the present cheapness of tobacco. [*Col. Entry Bk., Vol. LXXXIV., pp.* 59–64.]

June 8. **1377.** Answer of the Assembly of Virginia to Governor Lord Culpeper's speech. Demonstrating the state of affairs in relation to the Indians and other things (concerning the late rebellion, &c.) contained in his Excellency's speech at the beginning of this General Assembly. *Endorsed,* "Recd. from the Earl of Sunderland. 17 Sept. '80." 2 *pp. Duplicate and Triplicate of the above.* [*Col. Papers, Vol. XLV., Nos.* 5–7.]

June 8. **1378.** Acts of the General Assembly of Virginia :—

1. Act of Free Pardon, Indemnity, and Oblivion.
2. Act for Naturalization.
3. Act for raising Public Revenue.
4. Act for continuation of the Fortifications and Garrisons.
5. Act for Cohabitation and encouragement of Trade Manufacture.
6. Act for imposing and ascertaining Attorney's fees.
7. Act to ascertain the time when Negro children shall be titheable.
8. Act to license a Free Trade with Indians.
9. Act to ascertain Allowances for Cask.
10. Act for preventing Negro insurrections.
11. Act for presentation and delivery of Grievances.
12. Act to prohibit export of Raw Hides and Doe Skins.
13. Act against unlawful disturbance of Divine Service.
14. Act to revive the Act of 20th October 1665.
15. Act to clear Rivers from Logs.
16. Act to fix additional fees of County Court Clerks.

[*Col. Entry Bk., Vol. LXXX., pp.* 386, 387.]

June 8. James City. **1379.** Certificate signed by Nicholas Spencer, Secretary, by order of the Council, and by Thomas Ballard, Speaker of the Assembly. Certifying to His Majesty that the sum of 300*l.* is legally due to Lady Berkeley as executrix to her deceased husband Sir William, as well by virtue of his Royal instructions as by Act of Assembly, for his salary, he having duly exercised the office of Governor from 10th February to 6th May 1677. 1 *p.* [*Col. Papers, Vol. XLV., No.* 8.]

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June 8. **1380.** Minutes of Council of Barbadoes. Ordered, that the letter from the Lords of Trade and Plantations (dated 14th January) to the Governor and Council be entered in the Council Book.

June 9. Order, on the Circular of 14th January from the Lords of Trade and Plantations, that Roger Cowley and Richard Trant, sub-commissioners of the farmers of the 4½ per cent. duty, supply the returns in exports, Abraham Langford, Clerk of the Naval Office, those of the shipping. Directions from the same Circular conveyed to the Clerk of Assembly by Edwin Stede. [*Col. Entry Bk., Vol. XI., pp.* 315–317.]

June 9. **1381.** Journal of Assembly of Barbadoes. Colonel Guy appointed Speaker. Letter of 14th January from the Lords of Trade and Plantations to the Clerk of Assembly read, and the Clerk directed to comply therewith. Bills of replevins, habeas corpus, and for prohibition of negroes from learning a trade, sent up to the Council and Governor. Order for payment of 300*l.* to Colonel John Stanfast for one year's rent of Fontabelle plantation as a residence for the Governor for the present year, the five years term for which it was taken having expired last February. Adjourned to 6th July. [*Col. Entry Bk., Vol. XIII., pp.* 388, 390.]

June 9. Barbadoes. **1382.** The Clerk of the Assembly of Barbadoes to Lords of Trade and Plantations. Your Lordships' letter of 14th January received, which gave great satisfaction to the Assembly. Your orders shall be obeyed. *Signed*, John Higinbotham. *Inscribed*, Recd, 13 Aug. 1680. [*Col. Papers, Vol. XLV., No.* 9, *and Col. Entry Bk., Vol. VII., p.* 21.]

June 9. Boston. **1383.** Edward Randolph to the Commissioners of the Customs. Gives an account of the trial on the seizure of the Expectation, with his pleas and the rebutting arguments used by the attorney for the defence, among which was that the Commissioners of the Customs had no power to depute an officer to act in that country. The jury, consisting of either merchants or masters of the ships, found for the defendant. Expects hourly to be seized and cast into prison, has no means of raising money except by a bill on their Honours if they will accept it. As to the ketch Industry, laden with tobacco, seized in March at Piscataqua, hopes care will be taken for an effectual rehearing by Commission, else the clearest forfeiture will escape. Impossible to go on board any but empty hulls except by forcing an entry with violence. *Endorsed*, Recd. 20 Aug. 1680. 3 *pp.* [*Col. Papers, Vol. XLV., No.* 10.] *Enclosed*,

1383. I. Papers concerning Proceedings on the Seizure of the pink Expectation:—(1.) Order of Governor Simon Bradstreet to the marshals of the counties to assist E. Randolph, 9th March 1679–80. (2.) Seizure of the ship by Joseph Webb, Marshal, 2nd June 1680. (3.)

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Warrant from Secretary Rawson to Edward Mitchelson Marshal-General, directing him to summon Thomas Grecian for trial on 8th June 1680, dated 3rd June 1680. (5.) Information of Edward Randolph against Thomas Grecian, 3rd June 1680. (6.) Copy of the Judgment of the Court of Assistants. Verdict for the Defendant Thomas Grecian, 8th June 1680. (7.) Depositions of John Purvise and Stephen Munday. (8.) Security that the pink will unlade commodities in some port of England, Wales, or the town of Berwick, 10th August 1679. (9.) Clearing for some goods on board the Two Sisters of Minehead, 10th December 1679. (10.) Order for the transference of goods from the Two Sisters to the Expectation, 10th March 1679. (11.) Deposition of Griffin Edwards, 8th June 1680. (12.) Affidavit of Paul Dudley, 8th June 1680, and answers on examination. *Copies.* 6 *pp.* [*Col. Papers, Vol. XLV., No.* 101.]

June 9. **1384.** Minutes of House of Burgesses of Virginia. Address to the Governor praying to know his Excellency's pleasure concerning sending forth a Committee for the trial of private causes. Address praying that Robert Beverly be continued as Clerk. Minute of Council approving the choice of Beverly. (*The address is also dated 11th, but 9th appears to be correct.*) [*Col. Entry Bk., Vol. LXXXIV., pp.* 69, 70.]

June 10. **1385.** Minutes of House of Burgesses of Virginia. Address in reply to the Governor's speech, desiring to be favoured with a copy of the heads of his "most noble speech and charge." Address to the Governor, praying for issue of fresh writs for New Kent, Mr. John Langton being incapable by law of sitting as Burgess, and for Lancaster, Colonel St. Leger Codd being already elected for Northumberland. [*Col. Entry Bk., Vol. LXXXIV., pp.* 67, 68.]

June 10. **1386.** Journal of Lords of Trade and Plantations. Copy of the heads of inquiry yearly transmitted to the convoys of Newfoundland read and approved, with the addition of a third inquiry, as to the number, condition, and distance one from another of the stages kept by the planters or adventurers.

Sir William Stapleton's letter of 1st April read (*ante, No.* 1337). Agreed that ten barrels of powder be sent to him, and the Commissioners of the Admiralty requested to provide their ships better with powder in future. *Mem.*—On a report in Council the Commissioners of Ordnance were directed to place the ten barrels of powder on board the Norwich frigate.

Sir Jonathan Atkins' letter of 26th March (*ante, No.* 1334), with its enclosures, read. The Lords observing mention of letters sent to Mr. Secretary Coventry, and hearing that all such papers had been delivered to Lord Sunderland, desire that his Lordship transmit them to the Committee. Colonel Drax and Sir Peter Colleton summoned to attend next meeting, and divers questions prepared to be put to them as there seem to be many mistakes in

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the computation of the lists sent by Sir J. Atkins. Ordered also that the Commissioners of Customs furnish a list of the ships laden with the "enumerated commodities" that came to England from Barbadoes between 14th April 1678 and 14th October 1679, the number given by Sir J. Atkins appearing to be incorrect. Ordered further that Mr. Sergeant Baldwin attend next meeting with his report on the laws of Barbadoes. [*Col. Entry Bk., Vol. CVI., pp.* 169–172.]

June 10. Council Chambers. **1387.** [William Blathwayt] to Mr. Guy. The Lords of Trade and Plantations desire the Commissioners of Customs to inform them of the number of ships, with their burthen, which have come to England from Barbadoes since the 1st January 1678, and what returns they have had from their officers there; together with any other accounts that they may be able to offer respecting the trade of Barbadoes. *Draft.* 1 *p.* [*Col. Papers, Vol. XLV., No.* 11.]

June 12. **1388.** Governor Bradstreet to the Earl of Sunderland. I gave in May an account of our observance of His Majesty's commands of July 1679, to which we add the following particulars. A committee has been appointed to review the laws, for the purpose of repealing any repugnant to the laws of England or derogatory to His Majesty's dignity. Concerning liberty of conscience, a chief design in our fathers' coming thither was to enjoy freedom, but we presume that His Majesty does not intend that a multitude of notorious errors, heresies, and blasphemies should be broached amongst us, as by the Quakers, &c. As to other protestant dissenters that carry it peaceably, there shall be no cause of just complaint on their behalf. We have long since, in obedience to His Majesty's pleasure, removed restrictions on admission to the freedom of our Company. To be of a different persuasion from us in matters of external worship (and in particular to desire to serve God in the way of the Church of England) is no part of that heterodoxy in religion which our present law provides against. We are sorry that any acting of ours with reference to Maine should be displeasing to His Majesty; but having submitted to His Majesty's decision adjudging it to Mr. Gorges, who offered it for sale for about twelve months ago, we, considering the money and lives that had been spent in the defence of the province and being assured of the inclination of the generality of the inhabitants, made a purchase thereof. We beg His Majesty's excuse for not sending over other agents, and the rather for that we understand His Majesty and Privy Council are taken up with matters of greater importance, to which we add our low condition owing to the vast charges of the late war, to the great debts abiding heavy on us, and to the late wasting fire in our principal town. The great hazard of the seas creates a backwardness in persons most suitable to be employed as agents, for we have already lost five or six of our vessels by Turkish pirates, and many of our inhabitants continue in miserable captivity among them. *Signed* in the name of the General Court, Simon Bradstreet, Governor. 2 *pp.* [*Col. Papers, Vol. XLV., No.* 12, *and Col. Entry Bk., Vol. LXI., pp.* 94–99.]

1680.
June 13. **1389.** List of Lords Proprietors of Carolina, and the apportionment of their patronage.

Earl of Craven, Palatine, to nominate a Governor.
Earl of Shaftesbury, Chancellor, to nominate a Secretary.
Sir Peter Colleton, High Steward, to nominate a Surveyor.
Duke of Albemarle, High Constable, to nominate all military officers.
Lord Carteret, High Chamberlain, to nominate a Registrar of Births, Burials, &c.
Seth Sothell, Esq., Admiral, to nominate a Provost Marshall.
John Archdall, Esq., Chief Justice, to nominate a Registrar of Writing, &c.
The Treasurer to nominate a Receiver.

[*Col. Entry Bk., Vol. XX., p.* 145.]

June 14. **1390.** Journal of Lords of Trade and Plantations. Read, the Petition of William Penn, referred by an order of Lord Sunderland of 1st June, praying that in consideration of debts due to him or to his father from the Crown a tract of land in America may be granted to him by Letters Patent, such tract to be bounded to south by Maryland, to the west as Maryland, to the east by the Delaware, and to north to extend as far as plantable. Mr. Penn called in, and being asked what bounds he will accept to northward declares himself satisfied with three degrees, and in lieu of such a grant he is willing to remit the King's debt to him or some part thereof and wait for the remainder till the King shall be in better condition to satisfy it. Ordered upon the whole matter, that copies of the petition be sent to Sir John Werden, on behalf of the Duke of York, and to the agents of Lord Baltimore, to ascertain how far Mr. Penn's pretensions may consist with the boundaries of Maryland and New York.

Sir Peter Colleton called in and attended by Mr. Chaplin (Colonel Drax being in the country) and several questions drawn from Sir Jonathan Atkins' letter of 26th March last put to him; to which he answers (1) That he knows of no laws made since October 1678; (2) That there are two regiments of horse of 800 men each, and an independent troop of 80; six regiments of foot of about 700 men each, in all 5,880; and that the militia is considerably decreased for want of white servants. (Their Lordships resolve to take this question into serious consideration at some future time.) (3) That the number of inhabitants certainly exceeds the 6,000 given by Sir Jonathan Atkins, this figure probably not including the wives, children and servants. (4) The number of ships, 51, given by Sir Jonathan Atkins, must be a mistake; above 200 generally trade from Barbadoes every year and in one year 270. (5) He understood that the proposals delivered by himself and Colonel Drax touching the 4½ per cent. duty were approved by the Governor and Council. (6) He knows of no account of exports kept in the Island. Thereupon the heads of a letter in answer to Sir Jonathan Atkins were read and approved. Mr. Serjeant Baldwin presented his report on the laws of Barbadoes (*see next abstract*).

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Their Lordships hearing that there is nothing in the charters or patents of New England against imposing the oath of allegiance direct letters to be prepared, ordering the several Colonies to take the oath of allegiance, and such rules as are already enjoined in the last letters to Massachusetts to be observed in the making of freemen and magistrates. [*Col. Entry Bk., Vol. CVI., pp.* 173–177.]

(June 14.) **1391.** Samuel Baldwin to Lords of Trade and Plantations. In obedience to Order in Council of 24th July 1679, I have examined the laws of Barbadoes from the year 1660 to 1672. I find them good, though not always consonant with the laws of England, as, for instance, that negro slaves are to be tried for capital offences not by a jury but summarily before two justices of the peace, and that negroes are punishable more severely than others for like offences. Yet I consider the laws concerning negroes to be reasonable, for by reason of their numbers they become dangerous, being a brutish sort of people and reckoned as goods and chattels in the Island. 1 *p.* [*Col. Papers, Vol. XLV., No.* 13, *and Col. Entry Bk., Vol. VII., p.* 6.]

June 15. Antigua. **1392.** The Governor and Council of Antigua to Lords of Trade and Plantations. Acknowledgment of Circular of 14th January. We are sincerely obliged for your Lordships' care of us, and of the King's interest, which latter would be much advanced by the devotion of the 4½ per cent. duty to the completion of the fortifications of this Island. The trade inward and outward goes in good current; ecclesiastical affairs are in good order and agreement with the Church of England; in military matters our General [Stapleton] takes care to cause expertness in arms by "often exercise and examination of the soldiers' abilities." Our laws have already been sent to you. The French, our neighbours, are well furnished with ships; we would press upon you the great need of a frigate for the King's service in these parts. "Your Lordships well know that good and well equipped frigates are the brazen walls of islands," and we need them not only for defence but for attack on the adversary. We thank you for the 1,500*l.* procured for our fortifications. *Signed*, Val. Russell, Rich. Ayres, John Cade, Paul Lee, Will. Thomas, James Vaughan, Row. Williams. *Endorsed*, Recd. 15th October 1680. Read 17th September 1681. 2 *pp.* [*Col. Papers, Vol. XLV., No.* 14, *and Col. Entry Bk., Vol. XLVI., pp.* 437–439.]

June 15. **1393.** Commission from Anthony, Earl of Shaftesbury, Chancellor of Carolina, to Andrew Perceval. Appointing him Secretary of Carolina. [*Col. Entry Bk., Vol. XX., p.* 153.]

June 15. Nevis. **1394.** Copy of warrant to the Provost Marshal of Nevis to take a sloop, said to be an "interloper," in a by-road of the Island, and bring her under the guns of Charlestown, and if she prove to be an interloper to seize her and the negroes on board her. *Certified* by Cæsar Rodeney, Provost Marshal. [*Col. Papers, Vol. XLV., No.* 15.]

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June 16. Council Chamber. **1395.** [William Blathwayt] to Mr. Brisbane. Representing to the Admiralty Sir William Stapleton's complaints as to the ill-provision of the ketch Deptford with powder (*ante, No.* 1337). *Draft.* 1 *p.* [*Col. Papers, Vol. XLV., No.* 16.]

June 16. **1396.** Journal of House of Burgesses of Virginia. Ordered by the House that his Excellency be asked to signify his pleasure concerning Colonel Clayborne's petition for sale of certain stray horses in his possession. His Excellency gave directions in accordance with the Act.

June 18. Petition of Lieutenant-Colonel Jones referred to House of Burgesses. Acts of Indemnity and Oblivion and Act of Naturalization. Report of Committee on the Bill of Revenue, recommending that the former Bill be continued, and that the House desire humbly to be excused if it give not its approbation to His Majesty's Bill now before it.

June 19. Order of the Governor for a conference between the House of Burgesses, on their vote of yesterday. The Council's representatives to be Colonels Nicholas Spencer, Nathaniel Bacon, John Bridger, William Cole.

Resolution of the House of Burgesses to take part in the conference. Colonel John Page, Major Isaac Allerton, Charles Scarbargh, John Carter, John Armsteed, John Burnham, William Lloyd, William Fitzhugh, William Waters, John West to be representatives. [*Col. Entry Bk., Vol. LXXXIV., pp.* 71–74.]

June 18. **1397.** Affidavit of Samuel Harding of London, citizen and baker, a chirurgeon by profession. Sailed in the pink Francis, Mingham master, to Jamaica in October. Just before they started a letter came on board, enclosing a petition to the King in Council and an Order thereupon, both signed by Sir Philip Lloyd, which on arriving at Jamaica Mingham delivered to deponent with orders to serve one copy on Sir Henry Morgan and the other on Mr. Thomas Martin, both of whom shortly after sued Mingham and obtained damages against him. [The story of the succeeding abstract is repeated with little variation.] Mingham remains imprisoned and Peter Bennett was forced to bring the ship home, to the great loss of the said Mingham, who stands condemned to pay heavy damages for nothing else than pretended scandal in the petition.

Deposition of Alexander Ekyns, mariner, in confirmation, 22nd June. 3 *pp.* [*Col. Papers, Vol. XLV., No.* 17.]

June 18. **1398.** Affidavit of Peter Bennett, master of the ship Francis of London, a pink. The case of Francis Mingham, who was cast in 2,000*l.* damages in an action brought against him by Sir Henry Morgan for defamation. Deponent declares that Mingham was illegally arrested before this fourteen days of grace after judgment were expired, and imprisoned in the gaol with the slaves and common "rouges" till he consented to fortify a room above stairs for his confinement, which cost him sixteen pounds. 2 *pp.* [*Col. Papers, Vol. XLV., No.* 18.]

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June 18. Barbadoes. **1399.** The Governor and Council of Barbadoes to Lords of Trade and Plantations. Your Lordship's letter of 14th January (*ante, No.* 1262), duly received and noted. *Signed* by Sir Jonathan Atkins and ten members of Council. *Inscribed*, Recd. 13 Aug. 1683. 1 *p.* [*Col. Papers Vol. XLV., No.* 19, *and Col. Entry Bk., Vol. VII., pp.* 20 *and* 53.]

June 19. Nevis. **1400.** Council of Nevis to Lords of Trade and Plantations. Verbatim the same, except in one or two small particulars as the letter from the Council of Antigua (*ante, No.* 1392). *Signed*, E. Bridgewater, William Burt, Jos. Gorge, Daniel Lanhather, Charles Pym, Nich. Raynsford, James Russell, John Smith, Walter Symonds. *Endorsed*, Recd. 15 Oct. 1680, Read 17 Sept. 1681. 1½ *pp.* [*Col. Papers, Vol. XLV., No.* 20, *and Col. Entry Bk., Vol. XLVI., pp.* 443, 444.]

June 20. Barbadoes. **1401.** Edwyn Stede, Secretary of Barbadoes, to William Blathwayt. Yours of 29th January received by the hand of Mr. Richard Bate, and some time before it your letter of 14th January. Your orders shall be obeyed. The Clerk of Assembly, the Council and the Governor have, I believe, fulfilled your instructions in the transmission of documents. 1 *p. Inscribed*, Recd. 13 Aug. 1680. [*Col. Papers, Vol. XLV., No.* 21.]

June 22. Barbadoes. **1402.** Governor Sir Jonathan Atkins to [William Blathwayt]. The Richmond frigate arrived here to-day from Carolina. She learned from a French ship that she met at sea that Monsieur d'Estrées is come with twelve sail of frigates to Martinico. I cannot guess his errand. They report that he is last from Lisbon, when it was said that he was to cruise on the Coast of Barbary to look after the Sally men, but now they say he is to coast about the Islands of America, so I thought fit to inform of you hereof. This news came after my packet was made up and aboard of Captain Warrior. Whatever their business, we shall do our best to look to ourselves. I forgot in my last to remind you to obtain confirmation of Mr. Benjamin Knight's appointment to the Council, who was put in by me according to my Patent, the number being under nine. 1 *p. Holograph.* [*Col. Papers, Vol. XLV., No.* 22, *and Col. Entry Bk., Vol. VII., p.* 21.]

June 23. St. James' Plantations General. **1403.** Sir J. Werden to William Blathwayt. By all that I can observe of the boundaries mentioned in Mr. Penn's petition they agree well enough with that Colony which has hitherto (since the conquest of New York by Colonel Nicholls) been held as an appendix and part of the Government of New York by the name of Delaware Colony, or more particularly Newcastle Colony (that being the name of a principal place in it, the whole being planted promiscuously by Swedes, Finlanders, Dutch, and English), all of which hath been under the government of the Duke of York's Lieutenant hitherto. But what are its proper boundaries (those of latitude and longitude being so very little known, and so ill observed, as experience tells us, in the West Indies) I am unable to

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say. If this be what Mr. Penn would have, I presume the Lords of Trade and Plantations will not encourage his pretensions to it, because of what is above-mentioned, which plainly shows the Duke's right preferable to all others, though it should not prove to be strictly within the Duke's Patent. But if it be any other parcel of land unimproved in those parts, which is without all other patents, and does not interfere with the possessions of English subjects already settled there, I submit it to their Lordships how far they may think it convenient, under fitting restrictions, to recommend the Petitioner's request to His Majesty. *Holograph.* 1½ *p.* [*Col. Papers, Vol. XLV., No.* 23.]

June 23. Plantations General. **1404.** Lord Baltimore's Agents to [William Blathwayt]. We have to offer the following remarks respecting Mr. Penn's petition in reference to the public on Lord Baltimore's behalf. It is desired that if the grant of land to Mr. Penn be passed, it may be expressed to be of "land that shall lie north of Susquehanna Fort and north of all lands in a direct line between the said fort and Delaware River, and also north of all lands upon a direct line westward of the said fort; for that fort is the boundary of Maryland northward." It is further desired that there may be general words of reservation as to any interest granted to Lord Baltimore, and saving to him all rights granted; also that Lord Baltimore's Council be allowed a sight of the grant before it be passed. On behalf of the public it is suggested that due precautions be taken that no arms or ammunition shall be sold to the Indians or natives by any settlers in the new plantation whereby a common mischief may happen to all the King's plantations. This with our thanks in Lord Baltimore's behalf for your care of his interests. *Signed,* Barnaby Dunch, Rich. Burke. *Endorsed,* "From Lord Baltimore's Agents about Mr. Penn's pretensions. Rec. same day." 1 *p.* [*Col. Papers, Vol. XLV., No.* 24.]

June 23. Whitehall. **1405.** Order of the King in Council. That Mr. Attorney and Mr. Solicitor General attend His Majesty's Judges and desire them to assemble with all convenient speed and confer with them concerning this question, viz., Whether by his letter, proclamation or Commissions annexed His Majesty hath excluded himself from the power of establishing laws in Jamaica, it being a conquered country and all laws settled by authority there being now expired: and that upon receiving the opinion of the Judges under their hands in writing they report the same to the Lords of Trade and Plantations. 1 *p.* [*Col. Entry Bk., Vol. XXIX., p.* 381.]

June 23. **1406.** William Blathwayt to the Attorney and Solicitor General. Encloses an Order in Council (*see preceding abstract*), with a question which His Majesty's judges are requested to answer instead of the two questions referred to them by the Committee of Plantations on 27th April. The King's letter and proclamations referred to in the Order are enclosed, together with a paper containing the past and present state of the Government. The Address of the Jamaica

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Assembly shall be sent also if required. 1 *p.* [*Col. Papers, Vol. XLV., No.* 25.]

June 23. **1407.** List of all ships that have laden any of the enumerated Plantation commodities in the Island of Barbadoes from 14th October 1679 to 14th April 1860. Total, 50 ships, with masters' names. *Signed by* Sir Jon. Atkins, Govr., and Abraham Langford, Clerk of the Naval Office. *Endorsed* "Rec. from Sir J. Atkins 23 June 1680." [*Col. Entry Bk., Vol. X., No.* 1.]

June 23. **1408.** Journal of House of Burgesses of Virginia. Question put whether, upon report of the gentlemen appointed for the Conference of the arguments used, there be further debate on the passing or not passing of His Majesty's Revenue Bill. Carried in the negative. [*Col. Entry Bk., Vol. LXXXIV., p.* 74.]

June 24. Governor Lord Culpeper's speech to the House of Burgesses on their behaviour of the previous day. Rating them soundly for wasting time and for unparliamentary conduct, and warning them on the consequences of their action; for that they have arrogated to themselves a power never assumed by the House of Commons till it had swept away both King and Lords. [*Col. Entry Bk., Vol. LXXXIV., pp.* 64–67.]

Address of the House to the Governor, signifying that they have voted to reassume the debate on the King's Revenue Bill, and asking for a copy of his speech.

June 25. Address of the House to the Governor for a Conference between the House and the Council, with names of the members to represent it. Message of the Governor to the House appointing the same members of Council as on 19th June to represent it at the Conference. [*Col. Entry Bk., Vol. LXXXIV., pp.* 75, 76.] *Dated 15th, in original, evidently by error.*

June 26. Proposals of amendments to the King's Revenue Bill sent by the Burgesses to the Governor and Council; that previous Revenue Acts be repealed, but two Acts reserving privileges of Virginian ship owners, and freeing Virginia from cash duties, be maintained. (*Dated 20th in original, evidently by error.*) Address informing the Governor that they are ready to pass the Bill with these amendments, but not without them. [*Col. Entry Bk., Vol. LXXXIV., pp.* 76–79.]

June 25. **1409.** Journal of Lords of Trade and Plantations. Mr. Penn's petition again read, together with letters from Sir J. Werden and Lord Baltimore's agent (*see Nos.* 1403, 1404), and Mr. Penn called in and acquainted that he must apply himself to the Duke of York for part of the territory that he desires. Being informed of the letter from Lord Baltimore's agents he agrees that Susquehannah Fort shall be the bounds of Lord Baltimore's province. As to furnishing the Indians with arms and ammunition, he is ready to submit to any restraint that the Lords shall propose. Agreed hereupon to send orders to all the English plantations upon the northern continent not to furnish the Indians with arms or ammunition. [*Col. Entry Bk., Vol. CVI., pp.* 178, 179.]

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June 28. **1410.** Journal of Council of Virginia. Message agreeing to the Burgesses' proposals of 26th June. Acts of Pardon, of Naturalisation, and Revenue passed unanimously. Proposals of the various counties on various subjects considered.

June 29. Message from the Governor to the Burgesses offering his good offices in the matter of cessation.

June 30. The Council's amendments on the Committee's report of claims in the various counties. The Council's opinion that Henry Hartwell should receive 15,000 lbs. of tobacco in consideration of the greater burden of clerical work laid upon him. [*Col. Entry Bk., Vol. LXXXIV., pp.* 79–87.]

June 29. **1411.** Petition of Thomas Miller to the King. Setting forth his sufferings during the late rebellion in Albemarle County, Carolina, his imprisonment and escape to England, the interference of the Earl of Shaftesbury in favour of John Culpeper, a notorious ringleader, who was proved guilty. Nothing has been done upon the proposals of the Commissioners of Customs for recovery of arrears and compensation to petitioner and his deputies. Prays for consideration of his distressed condition and that of the inhabitants of Albemarle. *Inscribed,* Read in Council 30th June 1680. Nothing done. Read 20th Nov. 1680. [*Col. Papers, Vol. XLV., No.* 26.]

June 30. **1412.** A List of the Parishes and Ministers in Virginia:—

Henrico County	Varina - -	John Ball.
	Half Bristol - -	
Charles City County.	Half Bristol - -	Readers only.
	Jordan - -	
	Westover - -	
	Weyonoak.	
	Martin Brandon -	Mr. Paul Williams.
Surrey county -	Southwark - -	Mr. John Clough.
	Lacon's Creek - -	Mr. John Moyre.
James City County.	Martin's Hundred -	Mr. Rowland Jones.
	Half Brewton - -	
	James City - -	
	Wallingford - -	
	Wilmington - -	Mr. Thomas Hampton.
Isle of Wight -	Isle of Wight Parish	Mr. Robert Park.
	Long Parish - -	Mr. William Housden.
Nancymond -	Upper Parish - -	Mr. John Gregory.
	Lower Parish - -	Mr. John Wood.
	Chuckatuck Parish -	Mr. William Housden.
Warwick County	Denby - -	Mr. John Laurence.
	Mulberry Island -	
Elizabeth City County.	- - -	Mr. John Page.
Lower Norfolk -	Elizabeth River Parish.	Mr. William Nern.
	Lynhaven Parish -	Mr. James Porter.

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York County	Half Brewton	Mr. Rowland Jones.
	Hampton Parish	Mr. Edward Foliott.
	New Pocoson Parish.	Mr. John Wright.
	York Parish	Mr. John Wright.
New Kent	South Side:—	
	St. Peter's Parish	Mr. William Sellick.
	Blissland's Parish	Mr. Thomas Taylor.
	North Side:—	
	St. Steven's Parish	Mr. William Williams.
	Stratton Major	Mr. Robert Carr.
Gloucester County.	Kington	Mr. Michael Zyperius.
	Ware Parish	Mr. Clark.
	Petsoe Parish	Mr. Thomas Vicars.
	Abington	Mr. John Gwynn.
Middlesex County.	Christchurch Parish	Mr. John Sheppard.
Rappahannock County.	Farnham	Mr. Charles Dacres.
	Sydenburn	Mr. Dudley.
Stafford County	Stafford Parish	Mr. John Wough.
	Choatauck	Mr. John Wough.
Westmoreland County.	Copeland Parish	Mr. Scrinnington.
	Waslington	Mr. William Butler.
Northumberland County.	Fairfield	Mr. John Farnefold.
	Wiccacommito	Mr. Dawes.
Accomack	Accomack Parish	Mr. Henry Parkes.
Northampton County.	Northampton Parish	Mr. Thomas Teagle.
	Hunger's Parish	Mr. Thomas Teagle.
Lancaster County.	Christchurch	Mr. Ben. Doggett.
	Whitechapel	Mr. Ben. Doggett.

[*Col. Papers, Vol. XLV., No.* 27.]

[June 30.] **1413.** Address of the President and Council of New Hampshire to the King. It having pleased your Majesty to separate us from that shadow of his authority and government in the hands of the Massachusetts, under which we had long protection, especially in the late war with the barbarous natives, who had certainly been our ruin had not our brethren and neighbours stretched forth their helping hands, nevertheless, on receipt of your Majesty's pleasure delivered by Edward Randolph on 1st January, commanding the erecting of a new government over our four towns, although deeply sensible of the disadvantages like to accrue to us, more especially by the multiplying of small and weak governments, unfit for either offence or defence (the union of the Colonies having been more than a little instrumental in our preservation), we have taken the oaths and administered the oath of allegiance to the inhabitants, and convened a General Assembly for regulating the common affairs, having special regard to the Acts of Trade and Navigation. And if some obstruction occasioned by such as make high pretence to His Majesty's favour had not hindered, we might have brought matters to greater maturity, yet we hope to perfect

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something by the first opportunity of shippin
meanwhile we thought fit to make this our
His Majesty's favour in committing the Go
hands, not imposing strangers upon us, which
against any pretended claims to their soil.
Endorsed, Recd. with a petition from the Prov
June 1680, from the E. of Sunderland. 1
Vol. XLV., No. 28.]

June 30. **1414.** The President and Council of New
King. We gave an account of our allegiance
your Majesty's commission by Mr. Joules in
not repeat it. Our General Assembly has be
laws and orders with special regard to the
which you honoured us, and for which, togetl
the Province, we offer our most hearty than
been the hurry, owing to the shortness of ou
have not had time to prepare anything for y
though we shall despatch the business as soo
are all quiet, and troubled only by pretended cl
against whom we trust to your Royal favour
deeply lament that by the loss of the ship yo
effigies and Imperial arms, which you had sent
We would suggest that the allowance of appea
Commission may rather obstruct than further ju
other little things therein which time and ex
to be inconvenient, and which we shall in that
notice. *Signed*, John Cutt, President. *En*
September 1680. [*Col. Papers, Vol. XLV.,*
Entry Bk., Vol. LXI., pp. 99–101.]

[June 30.] **1415.** Petition of the Inhabitants of Albemar
to the King. Praying for assistance to suppres
secure the collection of the Customs. *Signe*
Andrew Wallwood, Robt. Scott, and twenty-six
Read in Council, 30th June 1680. [*Col.*
No. 30.]

[June ?] **1416.** Petition of General Assembly of Vi
Petitioners have thankfully embraced the A
Oblivion, and passed the Acts of Naturalis
Hope they may be confirmed. It is absolutel
office of Auditor should be executed by some
in the country. Petitioners hear that Mr.
surreptitiously asked for a grant thereof, b
which petitioners are grateful. Pray that ir
may be appointed on the Governor's recomme
dismissal of the petition of Thomas Sands. *S*
Countersigned, Tho. Ballard. 1 *p.* [*Col.*
No. 31.]

[June ?] **1417.** Petition of Robert Ayleway to L
Plantations. Held the office of Auditor-Ge

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Patent, until Lord Culpeper arrived, who took objection to the Patent and rejected it. Prays for reinstatement (*see preceding abstract*). [*Col. Papers, Vol. XLV., No.* 32.]

July 1. Nevis. **1418.** Governor Sir William Stapleton to Lords of Trade and Plantations. My most grateful thanks for your care of the Leeward Islands, and for the 1,500*l.* for the fortifications. How short this sum will fall even to pay the masons I leave to your Lordships' consideration. The forts must be large enough to hold 1,000 men at least. If you would procure the bestowal of the 4½ per cent. duty on the erection and repair of forts (which was the purpose for which it was originally designed) you would infinitely oblige the inhabitants. A frigate in time of peace and a squadron of ships in time of war, are, as I have frequently reported, an absolute necessity to us, owing to our neighbours the French. No less a person than the Vice-Admiral of France has been here for three years in succession, and he is now once more expected, if not already arrived at the Cul-de-sac at Martinique. The Deptford I hope is long since arrived, and has mediated for the supply of a good frigate. As my duty demands, I shall vindicate the King's honour to the last drop of my blood, but hardly a week passes but some proud Frenchman or other comes by and will neither salute nor lower topsails until forced to it, or compelled to bear off by our guns, which is a great charge in powder and ball, though not to be grudged did the shots take effect. We want half-a-dozen of the longest sackers, and I humbly suggest that your Lordships should procure them for us. Our grievances against the French having been laid by the King before the French Ambassador, we must patiently wait the issue thereof. I declare and protest that the pretence of the French judge about a Dutch ship bringing goods to St. Christopher's is, as I reported in my last, utterly groundless. The ship William and Edward having been restored to its present owners, pray direct that no claim be made for its restitution. Had it not been delivered I should have attempted no forcible reprisal without orders. We note the King's order for quarterly returns and reports from the Governor and Council jointly. Respecting the orders concerning appointments, I never disposed of any place for lucre or gain while such stood in my power, and before the King granted them by patent. The Secretary's and Marshal's are the only places of any profit, both of which are granted to the King for three lives to Captain James Cotter, and are by him let out at annual rent to two persons in each Island. Captain Joseph Crispe has the Escheator's place; I beg for instruction how far the power of that office may extend. There is a Receiver, or as some call him Treasurer, appointed *pro hac vice* and not by commission, to keep an account of what is levied for maintenance of four gunners and twenty-two soldiers, who guard the ordnance, and for any public charges. In my answer to the inquiries I gave full account of all public offices and places of trust, but I now annex an account thereof, excepting the names of the younger officers of Militia, which I cannot yet

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furnish accurately. There is no office disposed of for gain, nor has any Magistrate more than his labour for his reward, except the Deputy Governors, to whom the country, if they be acceptable, presents once a year what it can or what it thinks fit. The Secretary's and Marshal's places are the only two fit for the Governor's disposal, they being immediate servants to execute his trust, but they are most fit for the King's, since it is so already ordered. The truth is that the grant of offices by Patent lessens authority and causes neglect in the officers. Eight sail passed by this Island at three leagues distance at daybreak on Saturday 27th June, and went to leeward of St. Eustatius about 8. the same morning. I am since assured that this was Count d'Estrées and M. Gabaret, in two very considerable ships, with six frigates. I have the King's orders from Newmarket to seize all interlopers, ships and other goods, and help the agents of the Royal African Company, whose complaint was the reason of the order. I beg your Lordships instructions how to act in cases where there is resistance, or a man defends his own. I am aware that it is my duty to defend the King's perogative, but the law takes hold of any violent act of bloodshed, without which people will not part with that which is their own. I never refuse any warrant for seizure, or assistance when I may safely give it. We have had one man murdered already in one such quarrel, account of the trial enclosed. *Holograph. Endorsed,* Recd. 15th October 1680. 3½ *pp.* [*Col. Papers, Vol. XLV., No.* 33; *and Col. Entry Bk. Vol. XLVI., pp.* 439–443.] *Encloses,*

1418. I. "A list of the present public offices of the Leeward Islands :—

NEVIS.

Walter Symonds, Esq., Judge of the several Sessions held twice a year; also of the monthly Court held in the precinct of St. George or Figtree Point.

Sir James Russell, Kt., Judge of St. James, his parish, vulgarly and commonly called the Windward Court.

Nicholas Raynsford, Esq., Judge of a monthly Court in Charlestown.

Daniel Lanhather, Esq., Judge of St. Thomas, his parish.

The above four are the Justices of the Peace also of the respective divisions.

Thomas Fenton, Secretary (with clerks).
Cæsar Rodeney, Marshal, with a deputy.

The Secretary and Marshal or their deputies attend all the Courts.

Militia :—
Colonel Sir James Russell's regiment of foot.
Lieutenant-Colonel John Smith.
Major John Netheway (on furlough in England).

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Militia—*cont.*
Captain Edward Earles.
Captain John Edy.
Captain Robert Choppin.
Captain Griffin Brookes.

Colonel Daniel Lanhather's regiment of foot:—
Lieutenant-Colonel William Burtt.
Major Robert Hamon.
Captain Edward Bridgewater.
Captain Charles Pym.
Captain Joseph Jory.
Captain William Mannin.

Sir James Russell as eldest Colonel commands both regiments. "The weakness of the number of soldiers makes an odd company in each regiment."

Troop of Horse:—
Captain Michael Smith.
Lieutenant Cæsar Rodeney.
Cornet Francis Burton.

Other officials:—
Joseph Martin, Collector of the 4½ per cent. duty in all the Islands. He is appointed by the farmers and has sub-collectors in the other Islands.
Captain John Edy, Controller and Surveyor of the Customs, or duty on the growth of the Plantations.

SAINT CHRISTOPHER'S.

Abednego Mathew, Deputy Governor, Colonel of all the Militia, Captain of one of the standing Companies, Judge of the Sessions.
John Estridge, Judge of the Windward Court, and Justice of the Peace, precinct of Capesterre.
Joseph Crispe, Justice of the Peace in Cayonne and Nicholas town.
Justice Willet, Justice of the Peace at Palmeto Point.
Major Elrington, Justice of the Peace at Sandy Point.
Captain Jeaffreson, Justice of the Peace at the Road.
James Cole, Secretary (with a deputy).
Francis Kery, Marshal (with a deputy).

The Regiment of Foot:—
Colonel Abednego Mathew.
Lieutenant-Colonel John Crook.
Major Roger Elrington.
Captain Joseph Crispe.
Captain Ralph Willet.
Captain Christopher Jeaffreson.

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The Troop of Horse:—
Captain Robert Nesmith.

MONTSERRAT.

Captain James Cotter, Deputy Governor; and Judge of the Sessions, with the Council for Assistants.
Peter Cove, Judge of the Windward Court, late commander in Montserrat.
David Gallway, Judge and Justice of the Peace, Leeward side.
Daniel Meagher, Secretary.
Captain Thomas Nugent, Marshal.

Militia:—One Regiment of Foot.
Colonel James Cotter.
Lieutenant-Colonel John Cormicke.
Major David Gallway.
Captain John Devereux.
Captain John Bramly.
Captain John Symmes.
Captain Nicholas Meade.
Captain Thomas Roche.
Captain Philip Meagher.

ANTIGUA.

Valentine Russell, Esq., Deputy Governor and Judge of the Sessions of the peace and gaol delivery.
Paul Lee, Esq., Assistant to Mr. Russell in precinct of Chalmouth, Judge of Common Pleas and Nisi Prius, and Justice of the Peace.
William Barnes, Esq. Assistant in the Precinct of St. John, Judge of Common Pleas and Nisi Prius.
John Ley, Secretary (the Registrar's office is distinct from the Secretary's).
Henry Symmes, Marshal.

Militia:—
Colonel Rowland Williams's Regiment of Foot.
Lieutenant-Colonel Richard Aires.
Mayor William Barnes.
Captain John Winthrop.
Captain Paul Lee.
Captain Moyl Johnson.
Captain Archibald Cockram.

Colonel James Vaughan's Regiment of Foot:—
Lieutenant-Colonel Thomas Mallet.
Mayor Jeremy Watkins.
Captain J. Thomas.
Captain Samuel Jones.
Captain John Vernon.
Captain Joseph Fry.

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ANGUILLA.

Captain Abraham Howell, Deputy Governor, Judge, Justice of the Peace. There being few people there are few or no other Magistrates. Secretary, Thomas Bushell; Marshal, anyone appointed by the Governor to serve his precepts, which are few, there being little business.

STATIA.

Captain Peter Batterie, in command. Few people and little business, and so no occasion for plurality of offices, civil or military.

SABA AND TORTOLA.

The same applies to these.

BARBUDA.

There being but some few servants belonging to those who have leased it from Lord Willoughby to look after a stock of horses, mares, cattle and sheep, there is only a bailie or a steward.

The whole in Stapleton's handwriting. Endorsed, Rec. 15 Oct. 1680. 6 *pp.* [*Col. Papers, Vol. XLV., No.* 33 I.]

July 1. St. James. **1419.** Sir J. Werden to Sir E. Andros, desiring him to enable Mr. Lewen, either by himself or a magistrate, to tender an oath to any persons whom he may desire to examine. ½ *p.* [*Col. Entry Bk., Vol. LXX., p.* 32*b.*]

July 1. Port Royal. **1420.** Warrant of the Lieutenant-Governor of Jamaica in Council to the Provost-Marshal for the arrest of certain pirates who have lately plundered the town of Portobello, and have left Jamaica for the purpose of working with privateers. [*Col. Papers, Vol. XLV., No.* 34.]

July 2. Marshfield. **1421.** Governor Winslow to the King. Acknowledges receipt of His Majesty's letter of 12th January 1679–80, declaring his donation of Mounthope and his intention to grant them a new charter. Intends very speedily to send some person or persons to wait on His Majesty with their old and imperfect grant. 1 *p.* [*Col. Papers, Vol. XLV., No.* 35, *and Col. Entry Bk., Vol. LXI., p.* 76.]

July 2. **1422.** Journal of House of Burgesses of Virginia. Message of the Governor to the House recommending grant of 15,000 lbs. of tobacco to Henry Hartwell, Clerk of Council. Answer of the House suggesting 10,000 lbs. Amendments of the Council in the Act for towns considered. Several minor propositions agreed to. Bill about laws agreed to. As to the Bill for prohibiting export of money, the

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Governor and Council insist that the best way of doing it is by address to the King.

July 3. Address from the House to the Governor, that but 10,000 lbs. has been voted to Henry Hartwell. Answer of the Governor that he hopes the House will remember Hartwell, and also Colonel Jones another time. Address to the Governor thankfully accepting his offer to receive 150*l.* in discharge of all expenses incurred by him for the Colony in London, and begging his acceptance of 500*l.*, a poor gift but the best that the county can afford for his endeavours on its behalf.

July 5. Order by the Governor appointing Colonel Philip Ludwell and Major Richard Lee to be of a Committee to draw up the addresses to the King.

July 6. Order of the Governor respecting a question of houses for Mr. Auditor Bacon and Mr. Lee.

July 7. Assembly adjourned to 15th February 1681. [*Col. Entry Bk., Vol. LXXXIV., pp.* 88–94.]

July 3. **1423.** Minutes of Council of Virginia. Petition of Benjamin Hatcher considered. His Excellency communicated his instructions to the Council, showing His Majesty's high displeasure with the representation made by the Assembly in 1677. The Council excuse it by pointing out that this representation was not made until the Assembly had been provoked by the high-handed behaviour of the King's late commissioners in seizing their records. And whereas the King charges the Council to find out the authors and abettors of this offence against His Majesty, the Council begs the Governor rather to let the matter pass (for they have shown all goodwill and obedience to his Excellency) than rip up several things not fitted to be insisted on, until His Majesty shall signify his opinion to the contrary. His Excellency also submitted to the Council the Royal Instructions to repeal the Act limiting the times of receipt and payment of public tobacco. The Council advise his Excellency not to repeal it till certain clauses which ought to be continued be provided for; so likewise respecting two more Acts which are ordered to be repealed. [*Col. Entry Bk., Vol. LXXXIV., pp.* 38–44.]

July 5. Port Royal. **1424.** Sir Henry Morgan to Lords of Trade and Plantations. I have received your letter of 8th April last (*ante, No.*1340) respecting the assigning of Captain Brayne's bond to the attorneys of the Dutch West India Company here, and other matters. I summoned a Council wherein everything was done for the prompt execution of your Lordships' orders and several warrants sent out for the apprehension of privateers and their accomplices. I beg your Lordships' consideration of this latter business which greatly concerns the trade and prosperity of the Island. We have promise of a good season which has been rare of late years. Lord Carlisle will doubtless have given you full information as to the state of the Government. *Signed. Inscribed,* Recd. and read 10th September 1680. 2 *pp.* [*Col. Papers, Vol. XLV., No.* 36, *and Col. Entry Bk., Vol. XXIX, p.* 414.]

1680.
July 5. Port Royal. **1425.** Sir Henry Morgan to Lord Sunderland. Acknowledgments as in foregoing letter. Presently after Lord Carlisle's departure there anchored just outside range of our guns a French privateer (as we have reason to conjecture) which, under pretence of a French commission, and of being manned with French subjects, sent a boat into harbour to ask leave to take wood and water. I readily consented, provided that, like other friends, she came into harbour. As she refused to do this and remained still at anchor I sent off to order her to depart, which she accordingly did; but having notice that she had entertained many runaways and debtors off this Island contrary to law, I at once despatched orders to all points along the shore where I thought she might touch, to demand delivery of all English subjects; but she escaped me. At Yallagh's bay, some ten leagues to windward of this port, she had sent a boat ashore with twenty-four armed men before my orders arrived. Their jealousy is a sufficient argument of their being offenders. Their coming armed on shore is not to be suffered, and I intend to complain thereof by first opportunity to the French Governor of Hispaniola, whence the French privateers generally get their commissions. We are not less troubled with privateers belonging to this Island. Strict orders for their arrest were issued by Lord Carlisle before his departure and by myself since, and some of their men having been taken, who are now in prison awaiting trial, the rest are alarmed, and not daring to enter any of our ports, keep on the wing until they can find some place to settle on. I much fear that this may occasion the loss of many men to this Island, but it can only be prevented by the continual attendance of some nimble small frigate in coasting round the Island and surprising the privateers. Their numbers are increased by the necessitous and unfortunate, and they are encouraged by the security of the Spaniards and their pusillanimity under all their plenty. Nothing can be more fatal to the prosperity of this Colony than the temptingly alluring boldness and success of the privateers, which draws off white servants and all men of unfortunate or desperate condition. I spare no care to put down this growing evil, having lately granted a special commission for the trial of several runaway whites who fired in a body at a party sent to apprehend them. These privateers discourage the Spaniards from private trade with us, which would otherwise be considerable. This Colony in a short time would gratefully answer the expense to which the King would be at in countenancing it. *Signed. Endorsed*, Read in Council, 10th September 1680. [*Col. Papers, Vol. XLV., No.* 37, *and Col. Entry Bk., Vol. XXIX., pp.* 416–418.]

July 6. **1426.** Journal of Lords of Trade and Plantations. The Barbadoes Act for encouragement of importing gold and silver coin read. The Lords will consider whether the clause prohibiting the export of coin be not prejudicial to England. Sir George Downing to be consulted on this particular. [*Col. Entry Bk., Vol. CVI., p.* 180.]

1680.
July 6.
Council Chamber.

1427. Lords of Trade and Plantations to Gove
Atkins. We have at length received the satisfac
of 26th March, (*ante, No.* 1334) with its enclosures,
of 4th July last. On perusal thereof it has occu
frequent instances for your transmission of the laws
want effect by reason of the conspiracy of the n
or any formalities of the Government, since it w
of new laws which we urged, but the transmissio
in force, not only for the King's confirmation or
also for our own information. Nor can we a
rebellion of Virginia or the memory of Sir
expedition could reasonably hinder you fro
expectations in a manner, which is not onl
Government, but void of all kind of exception
as to the laws sent, as you mention, by two se
have already observed to you that most of t
before their arrival, and therefore incapable of
bation. It is, indeed, very strange that you di
circumstance of time was so material to the confi
laws, nor can we direct you better therein th
to the plain letter of your Commission, whic
law shall be in force for more than two years u
the King within that time. As for the im
Militia, we know well that it was always of la
a few months, and the Acts of Revenue likew
for us to believe at present, whatever assurance
that you have transmitted all the laws, since
parcel thereof the Act of Militia dated 1st O
to the last day of March following, and non
since that time, and we were so far from blami
of that law that we were only sorry to see it tie
to so short a time.

If the taking the number of the negroes
hensions, it is because it happens so seldom,
it to be frequently done by your order, whereb
be removed. As to the Act for taking the
and Allegiance, we never blamed you for pas
that we thought it might be necessary; but w
hold you excused for not transmitting it. We
to find the Militia, horse and foot, reduced to
since your letter of 3rd February 1675 told
were 8,000 men, exclusive of horse and drago
inhabitants according to your lists is but 5,50
to the omission of the women and children. T
from your first computation of 21,722, so
amendment therein. It is no less strange t
of 51 ships which have laden the enumerat
April 1678 to October 1679, since we are well
than 200 ships trade annually to Barbadoe
some of the enumerated commodities if not en

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same. You say you can give us no certain amount of the goods entered throughout the Island, there being no custom house, and all ships making their entries at the Naval Office. You will transmit to us by first opportunity those entries in the Naval Office, and direct the officer further to furnish us quarterly with the names, burden, and guns of all ships, and the species and quantity of all goods exported and imported. We do not wish the laws already sent to us to be again transcribed for the affixing of the seal, but that all laws sent for the future may be authenticated thereby. Nor do we refuse to receive the proceedings of the Sessions, but we were sorry to find them alone presented to us, while more important papers were omitted. You tell us that the Propositions recommended by the Assembly to Sir Peter Colleton and Colonel Drax were never confirmed by yourself and the Council, without which we esteem all proceedings very improper and irregular. To assert the character that you bear in the Government we called both these gentlemen before us, and Sir Peter Colleton, who alone was in town, assured us that he understood those Propositions to have been confirmed by the Governor and Council. We inform you of this, that the matter may be explained, and your credit vindicated by us. As to the vacancy in the Council, we desire you to inform us whether you think Mr. Francis Bond or Mr. Alexander Ruddock well qualified to fill it. *Signed*, Anglesey, Clarendon, L. Jenkins, Radnor, Sunderland, Worcester. 3½ *pp.* [*Col. Papers, Vol. XLV., No.* 38, *and Col. Entry Bk., Vol. VII., pp.* 7–10.]

July 6. **1428.** Journal of Assembly of Barbadoes. Election of William Sharpe as Speaker *pro tempore*, Colonel Guy being absent through sickness. Bill of Replevins returned by the Council, and a Bill in substitute thereof with it. Bill passed.

July 7. Explanatory Bill of the Act for securing the possession of negroes and slaves passed. Adjourned to 3rd August. [*Col. Entry Bk. Vol. XIII., pp.* 392, 393.]

[July 7.] **1429.** Answer of Thomas Martin, Receiver General of Jamaica, to the complaint of Francis Mingham, addressed to Lords of Trade and Plantations in obedience to Order in Council of 10th October 1679. Mingham came to Port Royal about the 6th of December 1678 and not having made due entry of his ship and cargo according to law, with evident design to defraud the King's Customs, his ship was seized by Martin as the law directs. But Martin utterly denies Mingham's allegations of malice and collusion with Sir Henry Morgan, or that the ship was sold for 800*l.* and the sum divided between him and Sir Henry Morgan. The ship was sold for 300*l.* to Mingham and the proceeds divided according to law, a third to the King, a third to the Governor, and a third to Martin himself, the prosecutor. So far from making any profit out of the seizure Martin freely gave his share towards the building of an Exchange in Port Royal. Martin therefore trusts that their Lordships will hold him guiltless of the crime

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imputed by Mingham, and show some mark of disfa
for his conduct. *Signed. Inscribed,* Recd. July
[*Col. Papers, Vol. XLV., No.* 39.]

[July 7.] **1430.** Petition of Thomas Miller to the Kin
the deplorable condition of himself and of oth
Albemarle, under the present usurped Governm
and prays that their petitions may be heard
referred to the Committee of Trade for exami
departure of the Governor, who will be sent o
Proprietors. *Endorsed with a reference to the Co*
14th July, before whom this petition was read
also on 20th November following. [*Col. Pa*
No. 40.]

July 8. Green Spring (Virginia). **1431.** Proclamation by Governor Lord Culp
Acts of Assembly, viz., of free pardon, of attainder
and penalties, for relief of persons who suffere
rebels, concerning servants who were out in
delivery of stray horses; His Majesty (finding
longer continued) having commanded the repe
Endorsed with memoranda by Lord Culpeper
discovery of diamond and copper mines at Rappa
mines near Boston. *Copy.* 1 *p.* [*Col. P*
No. 41.]

July 8. **1432.** Minutes of Council of Virginia. Adv
to substitute the King's soldiers for those
certain garrisons, also that additional minister
the Bishop of London, four next shipping and ty
year after. Appointment of five officers recomm
in case of any attack of Indians on the frontier
that the King be asked to furnish a war vess
tons, and ten guns for defence of the coast.
an Agent for the Colony reside near the Co
salary of 120*l.* per annum. Regulations for
Proposal that power be vested in the Governor
in emergency a contribution of 20 lbs. of tobac
calling the Assembly, owing to the expense of c
together. The Governor requested to represent
[*Col. Entry Bk., Vol. LXXXIV., pp.* 44–49.]

July 8. Virginia. **1433.** Governor Lord Culpeper to [Secretc
desired Colonel Spencer to write at large as
week. Has, not without some difficulties, pass
from England except a proviso or two ad
that of the Revenue, to repeal former laws no
for fear of raising double impositions, and
Assembly to the 15th of February next. Thir
good order, the low price of tobacco staggers
the continuance of it will be the fatal and spee
Colony without the application of a remedy.

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from the Assembly, and a narrative of all his transactions, which he will send very suddenly. "Received 8 Sept., 1680." *Holograph.* [*Col. Papers, Vol. XLV., No.* 42, *and Col. Entry Bk., Vol. LXXX., pp.* 385, 386.]

July 9. James City. **1434.** Colonel Nicholas Spencer to Mr. Secretary Coventry. The Assembly has been suddenly summoned by Lord Culpeper. I send herewith several Acts and Orders together with an Address to the King imploring his grant for a cessation of planting tobacco in the year 1681, a request which seems to imply such a diminution of the Customs as to carry its own denial. Tobacco, our sole manufacture, is through over-production so under foot that it will be impossible for the inhabitants to support themselves longer thereby unless the King order a cessation to decrease the production and raise the price. There will also be the advantage of encouraging the people to other manufactures instead of to one uncertain commodity only. Tobacco is so low in price that a whole year's crop will not give the planters enough meanly to clothe themselves, and we have the greatest crop ever known now, which, with the stock already in the country, will be more than the ships can carry away in the next two years. Hence the need of a cessation. We are beginning to see that our miseries are much due to our wild and rambling mode of living, to cure which, and to cause cohabitation, an Act was passed by the late Assembly fixing one town in every county, where goods may be shipped and landed. If this takes effect, Virginia will advance, whereas of late years it has retrograded. The immunity begged of the King would also help us much. The Indians have been very quiet this summer, owing I believe to the presence of our garrisons at the head of the river. The maintenance of threescore men and horses was found too heavy a burden for the country to bear in time of peace, so the strength is now reduced to twenty men and horse in constant pay in each garrison, as a permanent guard on the frontier, which can be easily reinforced on occasion. I hope this may lead to as permanent a peace with the Northern Indians as with Indians can be made. You will receive other news from the General Assembly, so I add only that Lord Culpeper's prudence has already united all our different interests. The Assembly is now adjourned to the 15th February. Received 17 Sept. 1680. 3 *pp.* [*Col. Papers, Vol. XLV., No.* 43, *and Col. Entry Bk., Vol. LXXX., pp.* 381–385.]

July 10. **1435.** Journal of Lords of Trade and Plantations. On reading the Acts of Barbadoes, agreed that the forbidding the exportation of coin to England is very unfit to be allowed, and that the Governor be directed, if the Act be not already repealed, to repeal it. Mr. Blathwayt directed to bring an answer in writing to four questions: (1) Do the laws of Barbadoes remain perpetually in force without the King's confirmation? (2) If the King confirm any law, may the Governor, Council, and Assembly repeal it without his consent? (3) Can the laws sent to England be amended, or must they be either allowed or rejected? (4) May

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the King at any time declare his dissent to laws which he has not confirmed, and do such laws become void immediately on the signification of such dissent to the inhabitants?

Lord Carlisle's request for four carriages to be sent for small minions agreed to. [*Col. Entry Bk., Vol. CVI., p.* 181.]

July 10. Whitehall. **1436.** [William Blathwayt?] to Governor Lord Carlisle. Your Lordship's letter of 23rd February has been read by the Committee, who await only the report of the Judges on the questions referred to them by Order in Council before proceeding at once to a settlement of your laws and methods of Government. Your letter of 30th August has also been received, and will receive attention. The carriages for five brass minions asked for in your letter of 24th February will be sent by first opportuity. 1 *p.* [*Col. Entry Bk., Vol. XXIX., p.* 396.]

July 10. Nevis. **1437.** Governor Sir William Stapleton to Mr. Secretary Coventry. Pray inform their Lords that by Captain Cope an answer shall be sent to theirs of 23rd January. The Count d'Estrées, Vice-Admiral of France, and one M. Gabaret are in these parts and were seen on the 27th June, two large ships and six frigates, as well as could be judged at the distance. On the 29th an impudent fellow, commander of a French flyboat, shot a bullet towards the flag, having been warned by one from the fort to strike. A second shot from the fort made him bear off to sea. It frets me to nothing but skin and bones to see such indignities put on the King's flag by their very merchantmen. I am sure a frigate in these Islands would do His Majesty more honour than either in Barbadoes or Jamaica, for it is seldom that the French squadron appears to them or near their forts. The commander of the French flyboat is Mons. Michel, the ship La Sara de Rochelle. *Holograph.* 1 *p.* [*Col. Papers, Vol. XLV., No.* 44, *and Col. Entry Bk., Vol. XLVI., pp.* 431.]

July 10. Nevis. **1438.** Clerk of Assembly of Nevis to Lords of Trade and Plantations. Acknowledging receipt of Circular of 14th January (*ante, No.* 1263), which shall be obeyed. *Signed,* Tho. Thorne. [*Col. Entry Bk., Vol. XLVI., p.* 432, *and Col. Papers, XLIV., No* 65.]

July 12. St. Christopher's. **1439.** The Clerk of the Assembly of St. Christopher's to Lords of Trade and Plantations. Acknowledging receipt of Circular of 14th January (*ante, No.* 1263), which shall be obeyed. *Signed,* Sam. Okes. [*Col. Entry Bk., Vol. XLVI., p.* 430.]

July 12. Nevis. **1440.** Copy of Proceedings at a Court of Admiralty held in Nevis, the 12th July 1680, in connection with the death of James Starky, a servant of the Royal African Company (*see* last line of Sir William Stapleton's letter of 1st July, *ante, No.* 1418). Sir William Stapleton's commission to Sir James Russell, Daniel Lanhather, William Burt, and Nicholas Raynsford to be Judges. List of Grand Jury (13) and Petty Jury (12). List of eight prisoners indicted for piracy, of the prosecutors, and the witnesses,

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with finding of the Grand Jury: *Ignoramus.* List of four prisoners indicted for riot, occasioning the death of James Starky; same particulars and same finding. List of ten prisoners indicted for riot and rout; same particulars, same finding of Grand Jury except in respect of one prisoner, against whom it returned a true bill. Prisoner acquitted by Petty Jury. Reference of a suit of the Agents of the Royal African Company against Richard Cary, Thomas Belchamber, and Captain John Edye for forty negroes, to trial at common law. *Certified copy.* 6 *pp. Annexed,*

1440. I. Copy of indictment against Richard Grant for piracy. 1 *p.*
1440. II. The same against James Thomas. 1 *p.*
1440. III. The same against William Helmes. 1 *p.*
1440. IV. Copy of indictment against Richard Grant for murder. 1 *p.*
1440. V. The same against Robert Ellis.
1440. VI. The same against James Thomas.
1440. VII. Copy of indictment against John Winter for riot occasioning murder. 1 *p.*
1440. VIII. The same against George Stanley. 1 *p.*
1440. IX. The same against Richard Cary. 1 *p.*
1440. X. The same against Thomas Peale. 1 *p.* [*Col. Papers Vol. XLV., Nos.* 45, 45 I.–X., *and Col. Entry Bk., Vol. LVIII., first enclosure.*]

July 12. St. Christopher's. **1441.** The Council of St. Christopher's to Lords of Trade and Plantations. We have received your Circular of 14th January and have obeyed the orders therein. We thank the King for giving us the opportunity of addressing him thus, and pursuant to command offer our observations as to the improvement of the general interest of the Island. We thank the King for his many favours and particularly for the contribution towards the expense of fortification. We have added thereto of our own cost and charges 654,449 lbs. of sugar (4,087*l.* 10*s.*), and yet without additional supply from the King (which we hope you will advance). Our works already begun and well forwarded must remain unfinished, unless we forsake our sickle and wholly betake ourselves to the mattock and spade, which we conceive is not what the King expects from his poor planters, who are ready out of loyal gratitude to him to extend the utmost of our fortunes to advance anything that may be for his royal service. But these works are too considerable to be finished at the charge of poor ruinated subjects who find it a hard matter to get bread for our families, and therefore humbly implore your aid. Our trade inward and outward is carried forward very regularly by the merchants, conformable to your orders and to Acts of Trade and Navigation. Our military affairs are well tended by the Governor and his deputy, exercise in arms once a month or oftener, and a frequent duty. Their care is not less than necessary considering the power of our French neighbours. The constant exercising of our train-bands we hope will make them in time little inferior in arms to the soldiers in the

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King's pay. In civil matters we have the laws of England, so far as they are applicable, while our own laws are sent home regularly. In ecclesiastical affairs we are, thank God, unanimous for the doctrine and discipline of the Church of England, with few or no dissenters among us; and in matters relating to our souls' health we are directed by the guides sent by the Bishop of London, whom we humbly thank for his charity and piety, beseeching him that when occasion requires more clergy to be sent into this Island they may be of riper years and better read in divinity than those last young graduates that came hither, lest, if any dispute should arise between them and the clergymen of the Church of Rome they should be foiled in argument. There are many Roman priests on the French part of the Island who are questionless men of great learning and parts.

Our opinions as to the means of advancing the general interest of the Island are these. The first and main thing is a firm and durable peace between French and English in the Island, that men may believe their property to be secure from any rupture that may come between the two nations at home. Else an expedient should be found to provide us with six or eight hundred English or Scotch men, to bear arms on occasion and defend us against any hostile attacks of the French, whose numbers are thrice as great as ours. Security is the first thing, for in our present state, far more than attracting new settlers we are rather in danger of losing those we have, who forsake us for other plantations of greater safety. This insecurity redounds already mightily to our disadvantage. Merchants make Nevis and other islands their chief ports of discharge, and thus commodities reach us in a manner at second-hand, which raises the price of them 20 per cent. for us over our neighbours, which is in itself discouragement sufficient to keep this Island from reassuming its former lustre. Unless therefore you can propose some expedient for this, your other efforts will prove ineffectual; otherwise the prospects of this Island would be hopeful enough, and quite as promising as those of the other Islands. So we hope you will take us under your special protection by espousing our cause and moving the King to do more for us than for other Plantations, whose necessities may not be so great as ours. We implore you also to obtain for us redress for the wrongs and injuries suffered in the late French war, and support this declining Plantation, which will otherwise unavoidably be ruined.

Having now apprised you of the obstructions that impede our progress, we offer what we conceive may be a "curable remedy" against those distempers. Four years since the King passed an Order in Council that three hundred malefactors should be sent to this place and that their gaol fees should be paid by His Majesty. If this order had been executed we should now be in a far better posture of defence; but inasmuch as three hundred malefactors condemned for transportation are not likely to be received, we humbly offer that in lieu of the sum and charge of the gaol fees which the King was then content to pay, it might be to his service to allow the like value or some other consideration to all who import

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servants capable of bearing arms into the Island. This would be an encouragement to merchants trading hither to supply as with men sufficient to secure us against French invasion. Or arrangement might be made with the merchants for some certain consideration to be paid them by the King by certificate under the Governor's hand for every man landed in the Island capable of bearing arms, over and above what the planters give for their three or four years' service. Again, might not the severity of the clause in the Act of Trade and Navigation, forbidding ships from Scotland sailing with Scotch seamen, be mitigated for so important a service to the Crown. This alone, we are credibly informed, would satisfy our wants in this respect, while the ship might give in bond here with sufficient securities to return with the produce of the plantation to some English port conformable to the Act. The King's customs would not be damaged hereby, while this Island would be populated. Another great hindrance to the improvement of this Colony is the Royal African Company which enjoys practically the monopoly of the negro trade. Since its incorporation the Company has never vouchsafed to supply this Island with more than one inconsiderable vessel, but rather has put hardships and difficulties in the way of the planters. We beg therefore that the Company may be summoned by your Lordships to shew cause why the people of this Colony, who have always striven to give it good satisfaction and compliance for everything received, should be thus discouraged and oppressed, and that it be ordered to supply us properly in future or permit us to take other measures herein. For it is as great a bondage for us to cultivate our plantations without negro slaves as for the Egyptians to make bricks without straw. You have very probably been informed that great supplies of negroes have been sent to Nevis from which we might be furnished. It is true that we have been supplied with a considerable number, but of refuse negroes at intolerable and immoderate rates, and even these only when they could not be sold elsewhere. For the first three years after Sir William Stapleton's assumption of the Government, the King graciously forgave us three years of the 4½ per cent. duty on all the dead commodities of our growth and production. During those three years the planters, now returning to their houses and tenements, were chiefly employed in public affairs and the King's service, and so could not reap the full benefit of this remission, though it enabled them to see of what advantage the like benevolence would be at this time. Will your Lordships intercede for us to procure the appropriation of the 4½ per cent. duty, if not entirely, yet for a few years, to the carrying on of our fortifications and the public expense of the Island, or, when the lease of the said duty to the present farmers expires, apprise us thereof and allow us to have preference when the revenue is again let out to farm. Our last request is that the King's two Companies of Foot now in garrison may be continued if not augmented until some expedient be found to furnish us with men of whom we can raise train bands for our defence, if need be, against French or other invasion. We are obliged to provide from frontier guards as well as the main guard, and we dare not mention

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to you our great want of ammunition. May your Lordships continue Sir William Stapleton as long as may be in chief command over the Leeward Islands, for they have flourished exceedingly under his auspicious government. *Signed*, Roger Elrington, Jos. Crispe, John Crook, John Estridge, Christoph. Jeaffreson, Abed. Mathew, John Royson, C. Rodeney, William Willett. *Endorsed*, Recd. 13th October 1680. Read 17th September 1681. *Six closely written pages.* [*Col. Papers, Vol. XLV., No.* 46, *and Col. Entry Bk., Vol. XLVI., pp.* 444–452.]

July 13. Montserrat.

1442. The Council of Montserrat to Lords of Trade and Plantations. In reply to Circular of 14th January. Our Government is to the best of our power and knowledge agreeable to His Majesty's laws. All our debates and by-laws in Council are such only as are necessary for the particular concerns of the Island, and no way repugnant to the laws of England. Our ecclesiastical affairs are to the best of our endeavour agreeable to the canons and constitutions of the Church of England. Our military concerns we must confess to be not in such good condition as we could wish for defence of the Island, we being altogether destituted of any considerable fort or of any quantity of guns to mount therein. We thank you for our proportion of the 1,500*l.*, though it signifies little or nothing, either to us or to any of the Islands for to build such fortifications as are required; but if the King would afford us some considerable assistance, either by giving us the income of the 4½ per cent. duty for a reasonable time or by any other way that you may think convenient to help us to build a good fort in this Island, we doubt not but to give a good account of Montserrat, especially so long as Sir William Stapleton remains our General. His care and conduct deserve universal praise from all the Islands. We must further acquaint you that in case of war not only we, but all the Caribbee Islands, must pray for timely assistance to equalize the forces usually sent hither by other nations, and especially by our implacable enemy the French. Such is their subtlety and care of their colonies that before fame could bring report of approaching war their forces used to be arrived with a great number of men-of-war, which they always keep in these seas in peace as in war, though the production of their colonies is much less than that of ours. To prevent any design on their part, we beg for a good frigate or two in time of peace and for a squadron in time of war. As to our trade, there are few ships that trade hither, and a great part of our sugar and indigo is therefore transported in sloops to Nevis and shipped there. The great hindrance to the improvement of the Island is the want of negroes. Montserrat was wholly destroyed by the French and Dutch in 1666, since which time but two small ships have been sent by the Royal African Company with little more than three hundred negroes, half of whom are already dead. And as your Lordships' desire our opinion how the Island may be improved, we not only think, but are ready to prove, that not one of these colonies ever was or ever can be brought to any considerable improvement without a supply of white servants and negroes.

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The want of these compels the inhabitants to plant a little tobacco and indigo, the first of which through the unfitness of the soil is of poor quality and small value, while indigo bears a low price. The result is that the people are kept so poor that they can bring little service to the King or profit to his kingdoms. We assure you that in a few years Montserrat may be brought to as great perfection as Nevis, being quite as fertile, more healthy, better watered and greater in compass. It remains therefore only for us to wish that the Royal African Company would be so kind as to give us a constant supply of negroes, which would enable us to maintain a punctual correspondence with them, to their great profit and the advance of the King's Customs. *Signed*, John Symes, J. Cotter, John Bramley, Nich. Meade, John Cormicke, Peter Cove, Wm. Fox, Da. Gallwey, Rd. Stapleton. *Endorsed*, Recd. 15th Oct. 1680. Read 17th Sept. 1681. *Two closely written pages.* [*Col. Papers, Vol. XLV., No. 47, and Col. Entry Bk., Vol. XLVI., pp.* 434–437.]

July 14. Barbadoes. **1443.** Governor Sir Jonathan Atkins to Secretary Jenkins. I congratulate you on your appointment as Secretary of State. It is necessary for us to address the present Secretaries on most occasions of public service, but though I do not fall within your province, it is necessary for me to beg your correspondence, for in the sphere wherein you move it may be necessary for me to address myself to you. It is the misfortune of us who are employed so far away to be compelled to renew all our interests by letter, and it is my misfortune to be little known to you, though I had the honour to be in your company at the late Lord of Canterbury's, who was my very good friend. 1 *p. Holograph. Endorsed*, Recd. 21 Sept. 1680. [*Col. Papers, Vol. XLV., No.* 48.]

July 14. **1444.** Memorandum of Lords of Trade and Plantations. That the five small carriages for brass minions be sent to the Earl of Carlisle according to his desire, they being necessary for His Majesty's service. [*Col. Entry Bk., Vol. XXIX., p.* 397.]

July 15. Hartford [Connecticut]. **1445.** Governor Leete and Council of Connecticut to Secretary the Earl of Sunderland. Request his consideration of their pleas of right to the government and soil of the Narraganset lands. (1) Their patent, dated 23rd April, in the fourteenth year of His Majesty's reign, doth circumscribe those lands and make them Connecticut's: this patent is precedent to Rhode Island Charter. (2) The bounds of their charter as to the eastern limits are not newly devised, but were so described in a former grant bearing date 1631, and purchased at a dear rate by the Colony of Connecticut; but, unwilling to rely on this as wanting a regal stamp, the Colony soon after the King's restoration empowered John Winthrop, their Governor, to go to England and procure a charter from His Majesty, in which he was successful. (3) Pawcatuck River, which Rhode Island procured the King to call Narraganset River in their charter, is about six miles within the Pequot

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country, which was conquered by Connecticut above forty years ago. In part of these lands some of their friendly Indians have been settled, to whom it would be intolerable for Rhode Island to possess and govern. (4) After the Charter was procured, John Winthrop's agency expired, therefore any agreement Rhode Island may pretend to have made with him is not binding on the Colony. (5) Connecticut has dealt plainly, has antiquity on its side, before either donation of the Indians to the King, or the Rhode Island Charter grant. (6) Connecticut has been long and lately in possession of great part of those Narraganset lands, which according to His Majesty's letters of 12th February 167$\frac{8}{9}$ ought so to continue till His Majesty's pleasure be further known. Notwithstanding which the Governor of Rhode Island hath been contending with them and given them great molestation. (7) In the late Indian war, Rhode Island neglected to assist the people in the Narragansett country, or to recover the lands from the natives, who fortified themselves there and ruled as lords of soil and government till recovered by Connecticut and its allies. How in the sharpest of the winter their soldiers fought the enemy, beat them out of the works and burnt them with fire, and how the late Governor Cranston, before he let them pass, took indentures of them to serve him for years, the soldiers not having money to pay for what they had, is known to him, and yet again the Rhode Islanders would reassume a Government there. Had sent sufficient proof of these things, but they are lost with their agent. Request a favourable construction. *Signed by* Wm. Leete, Govr. *Endorsed*, "About the King's Province. Recd. from the E. of Sunderland 27th Nov. 1680." [*Col. Papers, Vol. XLV, No.* 49.]

July 15. **1446.** Duplicate of foregoing. *Endorsed*, Rec. 6 Jan. 1680–81. [*Col. Papers, Vol. XLV., No.* 50.]

July 15. Hartford [Connecticut]. **1447.** William Leete, Governor, and John Allyn, Secretary, to William Blathwayt, Secretary to Lords of Trade. Have received and gratefully accepted his letter of 1st August, and returned a brief answer to the questions required, with all plainness and truth. They are but a poor people, have lost and spent much in the last Indian war, which cannot be estimated less than 30,000*l.*, with no other advantage than the riddance of some bad neighbours; yet the lands they possessed would be taken from themselves by Rhode Island, who disbursed nothing for the war. They labour in tilling the ground, and their provisions are transported to the market at Boston, but half-a-crown there will not produce so much goods of any sort as eighteenpence will in England. For years past the holy providence of God hath smitten them with blasting and mildew, and for three or four years a worm has bred in the peas "which doth much damnify them," so they are likely, by reason of losses at home and the heightened price of goods from abroad, to remain a poor but loyal people. Desire the mediation of the Privy Council with the King to make New London and some other ports free for twenty, fifteen, or ten years, which would

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bring men of estate to trade and settle there, would increase the wealth of the Colony, and in the end do no damage to the King. Request pardon for their boldness, and desire that they may be upheld under his Honour's shadow in the full enjoyment of the immunities and privileges granted by His Majesty to them. *Enclosed,*

1447. I. Answer to the queries received from the Lords Committee of the Council for Trade and Plantations. In reference to the Government, Courts of Judicature, number of Militia, &c., and general state and condition of the Colony. There are 2,507 trained soldiers in the four counties of Hartford, New Haven, New London, and Fairfield; twenty-six small towns already settled, one of which has two churches. In all the towns there are altogether twenty-one churches. The commodities of the country are wheat, peas, rye, barley, Indian corn, pork, beef, wool, hemp, flax, cider, perry, deal boards, pipe staves, and horses, which are mostly transported to Boston and there bartered for clothing. Annual value impossible to reckon. There is some little direct export to the West Indies, and occasionally a ship is laden for Madeira and Fayal. The peas have suffered much from worms lately, and hence much of the trade has been abated. Plenty of good timber for shipbuilding. Impossible to compute value of imports, say 8,000*l.* or 9,000*l.* a year. About twenty native merchants, but few foreign. Few immigrants from the British Isles in the past seven years, say one or two a year. Impossible to give any account of births, marriages, and deaths, but can give the increase of population since 1671, viz., in 1671 there were 2,050 men; in 1676, 2,303; in 1677, 2,362; in 1678, 2,490; in 1679, 2,507. Impossible to estimate the estates of the merchants; estate of the corporation at large valued at 110,788*l.* Few vessels come to trade except from Massachusetts or New York; about twenty-seven vessels belong to the Colony. The Colony suffers from want of capital and expense of labour. If Hartford, New London, New Haven, and Fairfield were made free ports, it would greatly improve the trade of the country. No export duties, nor import duty except on wine and liquors, which is inconsiderable, and devoted to the maintenance of free scholars. In religion, some of the people are "strict Congregational men," some "more large Congregational men," some Presbyterians; the bulk, however, Congregationalists. There are four or five "Seven-day men," about as many Quakers. Great pains taken for religious teaching. Beggars and vagabond persons are not suffered, but when discovered are bound out to service. *Signed,* William Leete, Govr., John Allyn, Secy. *Endorsed,* Recd. 9 Dec. 1680. [*Col. Papers,*

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Vol. XLV., No. 51, and Col. Entry Bk., Vol. LXI., pp. 78–79 and 107–120.]

July 15. Hartford [Connecticut].

1448. William Leete, Governor, and John Allyn, Secretary of Connecticut, to Secretary the Earl of Sunderland. Pursuant to the King's letters of 14th February 167$\frac{8}{9}$, we sent an Agent to present our address respecting our claims over the soil and Government of the Narragansett country, but have heard that he was taken by the Turks and our enterprise therefore quite frustrated. We beg the King's favour that we may continue to enjoy the rights and privileges granted to us by Charter, that we may not be abused nor overriden by any whatsoever, but under His Majesty's shadow may rest under our own vine and fig-tree without molestation. We rest on the King's wisdom and justice for protection against unneighbourly intruders. We had hopes of presenting our case to the King by another agent, but the loss and expense of the late Indian war, the damage done to produce by blasts and mildew, and the anticipated cost of redeeming the Agent "knock off our hopes"; we therefore trust to your Lordship's good offices. We send copies of the documents entrusted to our Agent. Mr. Randolph has visited us and been well treated by us. Once again we beseech you to guard the rights granted to us by Charter against the encroachments of Rhode Island. 1 *p.*

Enclosed,

1448. I. Questions given to, and Answers taken from, the Pequots, &c., and some ancient and noted Narragansetts, by Amos Richardson and James Noyse, in the presence of Thomas Minor, Commissioner, 15th August 1679. How far the Pequot country extends eastward. Whether Pawcatuck River was ever called Narragansett River, which is answered in the negative. As to the title of Soso, an Indian, to certain land on Pawcatuck River, and as to the head of said river and the eastward bounds of the Narragansett country. Certified by Hannah, a Pequot woman and Indian interpreter, also by Stephen Richardson and Joseph Minor, before Thomas Minor, Commissioner, on 15th September 1679, and attested by the mark of Simon an Indian. *Certified copy* by James Richards, Assistant, 15th December 1679. 1 *p.*

1448. II. "Certificate touching the Narragansett Country." That the Colony of New Plymouth is by patent bounded westerly by the Narragansett River and the utmost limits of Patanokett, that about twenty years since the Agents or Commissioners of Rhode Island, Roger Williams and Captain Randall Holden, earnestly pleaded that Patuckett River was that Narragansett River, and intended boundary, and that there was no other river in the Narragansett country. The Colony of New Plymouth has not for many years past seen cause to prosecute any claim beyond said river. *Signed by* Josiah Winslow,

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Governor of New Plymouth. Boston, 1679, Aug. 22. *Certified copy* by John Tallcott and James Richards, Assistants, 1679, Dec. 15. *Endorsed*, "A Paper from the Connecticut Colony about the King's Province. Rec. from the Earl of Sunderland, 27th November 1680." [*Col. Papers, Vols. XLV., Nos.* 52, 52 I., II.]

July 15. **1449.** Duplicate of foregoing letter. [*Col. Papers, Vol. XLV., No.* 53.]

[July 15.] **1450.** Indictment against Thomas Miller for using seditious language before the Grand Council in Albemarle in November 1679, with the depositions of the witnesses against him. The offence alleged to be committed dates back to 1673. *Copy. Two large pages. Endorsed*, Recd. from Commissioners of Customs, 15th July 1680. [*Col. Papers, Vol. XLV., No.* 54.]

[July 15.] **1451.** Deposition of Timothy Biggs concerning the state of affairs in Carolina from 1675 to 1678. Dated London, 1678. *Endorsed as the preceding.* 2 *pp.* [*Col. Papers, Vol. XLV., No.* 55.]

[July 15.] **1452.** Letters from Timothy Biggs to Captain John Willoughby, with copies of his letters to Robert Holden and Samuel Pricklove, his deputy, concerning the difficulty in collecting the Customs duties there. *The whole on one sheet.* 3 *pp. Endorsed as the preceding.* [*Col. Papers, Vol. XLV., No.* 56.]

July 15. **1453.** Minutes of Council of Virginia. Debate on the appointment of officers for the protection of the frontier. Those chosen by the Council appointed. On the adjournment of the Assembly to 15th February, resolved that, unless commands come from the King by 20th January next, such as shall require the meeting of an Assembly on that day, the Assembly be adjourned by proclamation to 20th January 1681–82.

July 22. Orders to Sir Henry Chicheley to draw out soldiers for relief of the garrisons. Petitions of Elizabeth Sykes and Richard Carver considered. The Governor's attention called to the extravagant meeting of Sir H. Chicheley's Company on 20th July last in the restoration of Ensign Ross [Rous] to his employment, he though long suspended having been cleared before the Council and Assembly. These men by their long stay are not only useless but dangerous, and the personal differences of Lieutenant Morris and Ensign Ross have contributed to the evil. His Excellency therefore caused Lieutenant Morris and Ensign Ross to be brought to the Council table, and rebuked them, telling them that if they did not lay aside all personal differences and reform he would be constrained to dismiss them the service in disgrace. [*Col. Entry Bk., Vol. LXXXIV., pp.* 49–55.]

July 16. Plantations General. **1454.** Extract of a letter to the Royal African Company from its Factors at Nevis. Captains Cope, Helmes, and Holbital will give you full account of the proceedings of Thornbury, an interloper,

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who on 15th June came to anchor off the fort and there rid four or five days in sight of all the Island till he had landed all his negroes in boats that came off from the shore to him. We waited on the General [Stapleton] the same day, and asked his help to seize the negroes and prevent the landing of them, according to the King's charter. He issued a warrant to the Marshal to seize them, which was delivered to him that afternoon. The Marshal promised to do it with all speed, but went out of the way and never did it. Of this the General was informed. On the 16th, about sunset, about 80 negroes were landed in a sloop in Stanley Bay, where we attempted to seize them, but were prevented by Mr. Philip Lee, Speaker of the Assembly, who drew his sword and bid defiance to any that would seize them. Others also, Mr. Richard Cary, Thomas Belchamber, Lieutenant John Sockwell, Ensign John Standley, and one Austerman, all stood with their swords, and some with their pistols, pointing to our breast, swearing bitterly that they would kill the man that offered to seize a negro, notwithstanding that at that very instant was read to them the General's order, commanding all his commission officers to assist us in the seizing of those negroes. Whereof they took no notice, but instead of obeying they, with about twenty sailors and privateers, kept us with drawn swords from making any seizure, saying that they had brought them, and would land them if they died for it, and that what they did they would maintain with their lives and fortunes. Next day we informed the General of this, who answered that he knew of no law to punish them, but that he would acquaint the King thereof. Mr. Lambert, your factor on the George and Betty, was with us, and saw all that passed, of which he will give you a fit account, God sending him well to you. *25th July.* It would be a great satisfaction to us that our prosecution of the interlopers should take some effect. We shall not fail in our duty therein, and "should be heartily glad to see so much countenance from England as might discountenance those that countenance them." We hope that the King's declaration to the petitioners will somewhat dishearten them. 1¼ *pp.* [*Col. Papers, Vol. XLV., No.* 57.]

July 18. Nevis. **1455.** The Agents of the Royal African Company to the Company. When we had information of the arrival of interlopers about the island we always asked for the assistance of Sir William Stapleton in seizing and surprising such ships, and he always granted us warrants and such other precepts as were necessary, ordering all officers civil and military to aid us. *Signed,* Henry Carpenter, Robert Helmes. *Copy. Endorsed,* Recd. 1 Oct. 1680. 1 *p.* [*Col. Papers, Vol. XLV., No.* 58.]

July 19. **1456.** Journal of Lords of Trade and Plantations. Mr. Miller's petition concerning Carolina read. Ordered that copies thereof and of those presented by Timothy Biggs be sent to the Lords Proprietors, with directions to attend with their answers on 19th August, and to the Commissioners of Customs with directions

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to attend at the same time. Their Lordships expect to receive also report of the Proprietors and Commissioners on the settlement of Carolina, required of them on 19th February last.

Lord Culpeper's letter from Virginia of 8th July, and Colonel Spencer's of 9th July (*see Nos.* 1433, 1434) read. (N.B.—These letters are misdated in the entry book as of the 8th and 17th September respectively.) [*Col. Entry Bk., Vol. CVI., pp.* 101–103.]

[July.] **1457.** The case of Francis Mingham, and his grievances against Sir Henry Morgan and Receiver-General Martyn of Jamaica. Humbly offered to the consideration of the King and Privy Council, with request that an Order in Council may be issued to bring him to England for the re-trial of his case. *Printed.* 2 *pp.* [*Col. Papers, Vol. XLV., No.* 59.]

[July.] **1458.** Petition of Dorothy Mingham to the King and Privy Council. Setting forth the story of the troubles of her husband, Francis Mingham, in Jamaica, and begging for his liberation from prison. A long story. *Signed,* Dorithy Mingham. [*Col. Papers, Vol. XLV., No.* 60.]

July 21. Whitehall. **1459.** Order of the King in Council on petition of Dorothy Mingham for the release of her husband Francis Mingham. That the said Francis Mingham or some other person on his behalf give security to the Board in the sum of 2,500*l.*, that he will answer the judgment given against him in Jamaica for that amount in case the Board see fit to affirm the same, and that Francis Mingham be set free and allowed to transport himself to England, there to answer his complaint. *Mem.*—The security was given to the Board before the delivery of the order. 2 *pp.* [*Col. Entry Bk., Vol. XXIX., pp.* 403–5.]

July 21. **1460.** [William Blathwayt] to the Earl of Craven. Transmitting Minute of Lords of Trade and Plantations, and petitions, for communication to the Lords Proprietors of Carolina. *On the same sheet.*

The same to Mr. Guy. Transmitting similar papers respecting Carolina to the Lords of the Treasury that they may give their orders thereon to the Commissioners of Customs. *Drafts.* 1 *p.* [*Col. Papers, Vol. XLV., No.* 61.]

July 24. **1461.** Minutes of Assembly of Nevis. Nine members present. Proposed by the Governor that all those who appear in the troop and keep horses and neglect to look out, having been ordered to the same, be fined. Ordered by the Governor and Council, *nem. con.*, that whosoever hath been obliged to find a horse in the troop and neglects to send one to the look-out, be fined 500 lbs. of sugar besides the penalty inflicted by the Articles of War. Proposed by the Governor and Council that a file of men be added to the standing guard at Charles Fort (formerly Pelican's point) in consideration of the great number of guns there, and that the 8,000 lbs. of sugar ordered to the continual look-out, and the fines of those

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that neglect the look out, be ordered for the payment of the said file of men. Proposed by the Governor and Council, but rejected by the Assembly, that the former Act of fining all those who refuse building of churches or other public works in 500 lbs. of sugar be transcribed into the new book of Acts and remain in force for the future. Agreed on proposal of the Governor that the battlements at Charles Fort be built with lime and stone. Ordered that the transactions of the Assembly be sent to the Lords of Trade and Plantations. The clerk's letter advising despatch of the same, 31st July 1680. *Endorsed*, Recd. 12 Oct. 1680. [*Col. Papers, Vol. XLIV., No.* 65.]

July 26. Port Royal. **1462.** Sir Henry Morgan to Lord Sunderland. My last was sent by Captain Knapman of the 2nd instant. Nothing has happened since beyond the arrival in this harbour of a good English merchantman, which has been for five months past among the Spaniards on the Main. She reports a friendly reception of herself, but great desolation of the maritime towns through the frequent sacking of the privateers. This cannot be prevented but by the present force of some small nimble frigates, which not being here, the privateers are so bold as to keep daily coasting about this Island, tempting all bad servants, debtors and dissolute persons to join them, which adds to their strength beyond our power of prevention without such a force as I have mentioned. Sloops returned from the coasting on Hispaniola report the arrival of the French fleet, some say fourteen, some ten, sail. We have no certain account of their errand, which we partly conjecture, and we shall be in readiness to receive them in this port, though as yet we do not believe them to have any such purpose for the present. Undoubtedly, however, they will call for wood and water, and then they will see how our defences are improved.

July 28. Mr. Secretary Coventry promised Lord Carlisle copies of the several treaties by which this Government is concerned with France, Spain, and Holland, but they have never been received. I beg that they may be transmitted that I may be able the better to guide myself on various occasions. *Signed. Endorsed*, Answd. Oct. 1680. [*Col. Papers, Vol. XLV., No.* 62.]

July 27. Nevis. **1463.** Governor Sir William Stapleton to Lords of Trade and Plantations. Since my last of 1st July (*ante No.* 1418) I have learned from a pen that has seldom erred in its intelligence that the errand of the Vice-Admiral of France is to demand satisfaction from the seizure and detention of one of his men-of-war when last he was here, and to view the coast with the design of some action against the Spaniards in Cuba and Hispaniola. He is first to return to Martinique, where he has left 100 soldiers in Fort Royal; then he is to take the French General, Count de Blenac, and his intendant with him to inspect the forts at Guadaloupe; thence he goes to St. Christophers where their lodgings are taken up, and leaves there 300 men in addition to the two strong companies already in pay on the spot. Having thus secured the Islands he

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will attack the Spaniards to leeward, unless he receives the satisfaction demanded. I hope this is not given out on purpose to amuse, and that his design be not upon those Islands, and that he is not bringing up 1,500 buccaneers to affect his stratagem when he returns. Nothing troubles me more than that I cannot be at St. Christophers when they are there, from fear of the dilemma that I once writ of. If I should go, it must be in a shallop, or long boat, for I have never a vessel to attend the King's service. What a dishonour it is I refer to your Lordships' most prudent consideration. Their show, and doubtless in case of a breach their real design, is always among the Leeward Islands. It is but accidentally or once in twelve years that they go near Barbadoes or Jamaica. God of His mercy give us here conduct and courage to defend His Majesty's interest and grant that I may not survive the loss of any part thereof.

P.S., 28th July.—The conveyance not going so soon as I thought I send the trial of the parties concerned in the death of the man murdered in the attempt to seize the interloper. I pray you overlook interlineations and conspurcations, for I write all with my own hand, as is my duty to superiors, and it (the hand) is lame. *This postscript appears only in the Entry Book. Holograph.* 1 *p. Inscribed,* Recd. 22 Sept. 1680. Read 30 Sept. [*Col. Papers, Vol. XLV., No.* 63, *and Col. Entry Bk., Vol. XLVI., pp.* 432, 433.]

July 27. **1464.** Warrant to the Commissioners for the Mastership of the Ordnance from the Lords of Trade and Plantations to deliver five small carriages shod for brass minions to be shipped for Jamaica. *Signed,* Anglesey, Albemarle, Bath, J. Ernle, L. Jenkins, H. London, Radnor, Worcester, Francis Gwyn. [*Col. Entry Bk., Vol. XXIX., p.* 398.]

July 27. **1465.** Lords of Trade and Plantations to the Admiralty] Requesting them to ship the five carriages for brass minions to Jamaica. *Signed* as preceding, excepting the Bishop of London. [*Col. Entry Bk., Vol. XXIX., p.* 399.]

July 28. Port Royal. **1466.** Richard Powell, Secretary of Jamaica, to Lord Sunderland. Having had the honour to attend your Lordship's uncle, Colonel Algernon Sydney as a young Secretary when he was Plenipotentiary in Sweden and Denmark, I am encouraged to hope for your Lordship's favour in the station which I now hold, being Deputy Secretary of Jamaica, lately Secretary to Lord Carlisle and now Secretary to the present Governor [Sir Henry Morgan]. I cannot but rejoice that we in this part of the world are in your Lordship's province, and I hope that the good opinion of your Lordship's relation my admit me to your favour. 1 *p. Endorsed,* "Mr. Powell about himself." [*Col. Papers, Vol. XLV., No.* 64.]

July 29. Nevis. **1467.** Governor Sir William Stapleton to William Blathwayt, In the black box addressed to the Lords are the last acts of Nevis, copies of proceedings at a Court of Admiralty concerning a murder

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etc. (*see ante, No.* 1440), copies of warrants granted by me to the Agents, which I send because the Royal (African) Company has complained that I do not do my duty as to the Charter and proclamations (*see ante, No.* 1394), and four letters from the respective Councils and Deputy Governors (*ante, Nos.* 1392, 1400). If their Lordships observe that I have not signed along with them, pray tell them it is because the gentlemen have inserted something relating to me which I thought it not modest nor prudent to sign. 1 *p. Holograph by Stapleton. Endorsed,* Recd. 4 Oct. 1680. [*Col. Papers, Vol. XLV., No.* 65.]

July 30. Barbadoes. **1468.** Edwyn Stede, Secretary of Barbadoes, to Lords of Trade and Plantations. Transmitting Quarterly Returns from the Councils and the Secretary's Office pursuant to Circular of 14th January (*ante, No.* 1262). 1 *p. Endorsed,* Recd. 9 Feb. 1680–81. [*Col. Papers, Vol. XLV., No.* 66, *and Col. Entry Bk., Vol. VII., p.* 54.]

July 31. Windsor. **1469.** Lord Sunderland to Lords of Trade and Plantations The King having thought fit to recall Sir Jonathan Atkins from Barbadoes and appoint Sir Richard Dutton to be Governor in his stead, would have you forthwith consider and prepare the necessary Commission, Instructions, and other despatches. 1 *p.* [*Col. Papers, Vol. XLV., No.* 67, *and Col. Entry Bk., Vol. VII., p.* 10.]

July 31. Nevis. **1470.** Clerk of Assembly of Nevis to Lords of Trade and Plantations. Transmitting copy of the Journals of Assembly. *Signed,* Tho. Thorne. [*Col. Entry Bk., Vol. XLVI., p.* 433.]

July 31 to Sept. 29. Newfoundland. **1471.** Papers respecting damage done to the French at St. Mary's. Declaration of Johanis Ducarrett of damage done to his beach or rock at a place called Collonett in St. Mary's. "They" (*he does not specify who*) "have destroyed me two new shalloways and three shallops, also they have burned my cabin and other things." I hereby empower George and Thomas Perriman to recover the said goods for me. *Copy,* dated Trepassy, 31st July 1680. *On the back,* Declaration of George Perriman empowering George Kirke to demand the stolen goods above mentioned. *Dated* 31st August 1680.

1471. I. Examinations of Samuel Wood 22nd August 1680, and of John Wallis 24th August 1680, taken on board H.M.S. Assistance. Showing how they were driven to take Ducarrett's boats, but never damaged his cabin. 3 *pp.*

1471. II. Bond of Christopher Polliard and John Rolson to John Ducarrett in satisfaction of the damage done to him. Dated 30th September 1680. *Copy.* 1 *p.*

1471. III. Declaration of Aaron Browning and Robert Fishley respecting the damage aforesaid. *Dated* 27th September 1680. *Copy.* 1 *p.*

1471. IV. Sentence against Francis Knapman, William Couch, Samuel Wood, and John Wallis to be "duck at the main

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yard arm" of H.M.S. Assistance for the damage aforesaid, and be liable also to pay satisfaction in money. *Dated* 29th September 1680. *Signed by* Robert Robinson and three others. *Copy.* 1 *p. All five papers endorsed,* Recd. 29 October 1680. [*Col. Papers, Vol. XLV., Nos.* 68, 68 I.–IV.]

[July.] **1472.** An Account of the Islands of Statia and Saba. Saba lies three leagues, and Statia ten leagues, to leeward of St. Christophers. They were first settled by the English, taken from them in the first Dutch war, and retaken in the last war by Sir William Stapleton. They are important from their situation. While the Dutch had them they diverted very much of the plantation trade from England, and, if the French were to take them their power would be much increased owing to their nearness to the English islands. The Lords of Trade and Plantations were aware of this, and too sensible that the only reason why the Dutch (from whom they were last taken) had not demanded them upon the conclusion of the peace with England, was an apprehension that the islands would fall into the hands of the French with whom they continued at war. Their Lordships therefore directed Sir William Stapleton, by letter of 6th September 1677, to comply with no demand of restitution from the Dutch without special orders. After the conclusion of peace between the French and Dutch, Van Leeven, the Dutch ambassador, addressed a memorial, dated 11th October 1679 (*ante No.* 1143), to the King, praying him to order the islands to be restored pursuant to the Sixth Article of the late Treaty. The Lords reported to the King on the subject on 30th October 1679 (*ante No.* 1168), and the report having been approved on 6th November 1679, orders were addressed to Sir William Stapleton to give an account of the islands, which he has supplied in his letter of 18th May (*ante No.* 1358). *Here follows an abridgment of that letter.* 4½ *pp. Unsigned, and in two different hands, seemingly a draft appended to a fair copy.* [*Col. Papers, Vol. XLV., No.* 69.]

Aug. 2. Green Spring (Virginia). **1473.** Proclamation by Governor Lord Culpeper, commanding all Sheriffs to collect His Majesty's quit-rents in all and every county and counties of this Colony. *Copy.* 2 *pp. On same page.*

Aug. 3. Virginia. **1474.** Instructions for the collection of the 2*s.* per hogshead fort duties, and head money, to be strictly followed and duly observed pursuant to an Order of Council to the same effect. Instructions for Mr. Auditor Bacon, to be by him duly observed. *Copy.* 2 *pp.* [*Col. Papers, Vol. XLV., No.* 70.]

Aug. 3. **1475.** Journal of Assembly of Barbadoes. But seven members attended, who stayed till 3 p.m., and adjourned to 31st August. [*Col. Entry Bk., Vol. XIII., p.* 392.]

Aug. 4. Whitehall. **1476.** Warrant from the King to the Trustees of Sutton's Hospital, in the Charterhouse. Whereas Lord George Abernethy

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has represented his long and hazardous services to His Majesty, and his father having been a commission officer from the beginning of the Civil War, and in several actions at home and abroad received many wounds, having also been sent by the usurping powers a slave to Barbadoes, where he continued eight years; by all which he is reduced to great want, and rendered incapable of any employment, His Majesty has thought fit that they admit him into a pensioner's place in the said hospital if any be void, or to the first void after the places of such as have already obtained His Majesty's letters. 1 *p.* [*Dom. Entry Bk., Chas. II., Vol. LIII. p.* 19, *from the end.*]

Aug. 6. **1477.** Journal of Lords of Trade and Plantations. The Commission and Instructions of Sir Richard Dutton, who is appointed to succeed Sir Jonathan Atkins as Governor of Barbadoes, considered. Names of the Councillors to be laid before the Lords next meeting. The quorum of Councillors to remain at five. The system of biennial laws to be altered, and all laws to continue in force until disallowed by the King. Authenticated copies of all laws to be forwarded to England by first conveyance under penalty of forfeiture of a year's salary. This penalty to be named in the instructions, and the Governor to take an oath to observe his commissions and instructions. The Secretary to forfeit his place if he fail to send the public documents required of him. No bill for raising money to be passed by the Governor unless the King's name be mentioned, and the style made agreeable to the laws of England, nor any Revenue Bill whereby the revenues shall not become accountable to the Treasury in England or the Exchequer, though the Assembly may be permitted to examine the accounts. No impost on liquors to be for less than one year, and laws generally, unless for a temporary purpose, to be indefinite. The Governor not to erect a new Court or dissolve an old one without the King's special order, nor to remit fines or forfeitures without reporting to the King and receiving his directions. An Attorney-General to be constantly employed in Barbadoes, the Governor to propose a fit person and the means of encouraging him to undertake the office.

His Majesty's letter to the Governor of Boston, dated 24th July, read, with a letter from Mr. Randolph, complaining of the difficulties he has met with in the execution of his office. Their Lordships, taking notice that in the grant of Maine to Sir Ferdinando Gorges there is a clause subjecting all the civil and ecclesiastical government to the Commissioners of Foreign Plantations, and that the Massachusetts, who have purchased the grant, have not given any account of their settlement of the province, order a letter to be sent to them requiring the performance of their duty according to the grant. Address from the President and Council of New Hampshire read, and their Lordships observing that they have neglected to return an account of their proceedings, as their Commission directs, agree to propose that some able person be sent thither to officiate as Clerk of the Council. [*Col. Entry Bk., Vol. CVI., pp.* 183, 189.]

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Aug. 6. **1478.** William Blathwayt to the Attorney-General. The Lords of Trade and Plantations request you to recommend some industrious and fit person, well versed in the law, to be Secretary of the Colony of New Hampshire. ½ *p. The Attorney-General's answer appointing Mr. Richard Chamberlain is written below. Signed,* Creswell Levins, *see post No.* 1495, 3rd September 1680. [*Col. Papers, Vol. XLV., No.* 71, *and Col. Entry Bk., Vol. XLI., p.* 80.]

Aug. 6. **1479.** Memorandum that Mr. Billing and others having long insisted on their right, derived from the Duke of York's grant to Lord Berkeley and Sir George Carteret of West New Jersey to be exempt from the jurisdiction of New York, the case was referred to Sir William Jones, who on the 28th July gave his opinion in writing. (Here follows the opinion, very brief, but adverse to the Duke). In compliance therewith the Duke on 6th August ordered Sir John Werden to bring a deed of release tendered by Mr. Billing the more firmly to convey West New Jersey to him and to the rest of the proprietors, and though both his counsel were absent was pleased to execute the same. [*Col. Entry Bk., Vol. LXX., pp.* 32, 33.]

[Aug. 6.] **1480.** Petition of Robert Mason to Lords of Trade and Plantations. Enumeration of his previous petitions. Prays that the decision of the Lords which was delayed by the Massachusetts,on the understanding that they were to send over agents, may be enforced, the Massachusetts having plainly disobeyed the order to send over new agents. *Endorsed,* Recd. and read 6 Aug. 1680. [*Col. Papers, Vol. XLV., No.* 72.]

Aug. 9. Tonbridge Wells. **1481.** Sir Peter Colleton to William Blathwayt. Is at Tonbridge for his health. Desires the Lords of Trade to grant him fourteen days more to answer the complaints of Thomas Miller. All the papers not in his own hands are with Lord Shaftesbury, so that the Lords Proprietors of Carolina cannot deal with the petitions till the writer is in town. 1½ *pp.* [*Col. Papers, Vol. XLV., No.* 73.]

Aug. 10. Nevis. **1482.** Governor Sir William Stapleton to Lords of Trade and Plantations. I enclose duplicate of a former letter. Pray represent our condition to the King and inform me whether our laws are confirmed or not. ½ *p.* [*Col. Entry Bk., Vol. XLVI., p.* 434.]

Aug. 12. **1483.** Heads of requests to the King, drawn up by Lord Culpeper. (1) That Lord Baltimore be ordered to concur with Virginia in such reduction of tobacco planting as may seem good to the Council and Assembly there. (2) That a commission as Deputy Governor be given to Colonel Nathaniel Bacon. (3) For instructions how to proceed in the punishment of the late insurrection in case Sir H. Chicheley has issued a pardon in the King's name. *Mem.*— To represent the likelihood of fresh mutiny, if the Government cannot punish rebels by law. (4) For instruction as to the suing of plant-cutters (rioters), the inconvenience if they be not sued.

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(5) *Mem.*—About Mr. Sandys' 580 hogshead. (6) To represent that the King has no one in pay here by sea or land, though here if anywhere it is necessary. *Holograph.* 1 *p.* [*Col. Papers, Vol. XLV., No.* 74.]

Aug. 17. **1484.** Journal of Lords of Trade and Plantations. Petition of Mr. Mason read, praying that, as the Massachusetts had disobeyed His Majesty's commands to send over agents within six months, their Lordships will proceed to offer their report for adjusting the difference between him and the Massachusetts, which had only been delayed at the request of himself and the late agents till other agents should have arrived. Their Lordships taking notice that besides this omission, the Massachusetts had neglected to pursue several material directions of the letter of 24th July last (*sic*), and had only given account by their letter to the Earl of Sunderland of 22nd May of some few particulars complied with, it is agreed His Majesty be moved to write once more, directing them peremptorily to send over within three months of the receipt of the letter agents fully instructed to answer Mr. Mason's claim; ordering further that publication be given to the terre-tenants of the land claimed by Mr. Mason, that they may possess the agents with their titles, and that the directions of His Majesty be executed, and the agents instructed to answer objections against the proceedings of the government during the attendance of the late agents. Otherwise His Majesty will give speedy order for the settling of the government in such manner as he shall think fit. Referred to the Attorney-General to find some person fit for the employment of Clerk of the Council for New Hampshire.

Sir Richard Dutton's Commission and Instructions again considered. Ordered, that the Bishop of London be spoken to concerning the christening slaves with some kind of liberty like unto that of villeins formerly in England; also that the orders given to Sir Jonathan Atkins by letter be inserted in Sir Richard Dutton's instructions. Sir Jonathan Atkins' letter of 21st May (*No.* 1362) read, and upon his complaint of the grant of offices by patent, Agreed that the King be moved to pass no more such grants without notice first given to the Committee. Letters from the officers acknowledging the circulars of 14th January respecting quarterly returns read. [*Col. Entry Bk., Vol. CVI., pp.* 189–192.]

Aug. 17. **1485.** A list of the names of the present Council of Barbadoes, viz., Sir Peter Colleton, Henry Drax, Samuel Newton, Thomas Wardall, John Witham, John Pearse [Peers], John Standfast, Richard Howell, Edwyn Stede, Benjamin Knight, Thomas Waldron. [*Col. Papers, Vol. XLV., No.* 75.]

Aug. 20. Virginia. **1486.** Colonel Nicholas Spencer to Mr. Secretary Coventry. Lord Culpeper lately sailed from hence towards New England, and from thence intends for England. He has done very well. Our Indians are yet peaceable; I hope they may so continue, knowing the guards at the heads of the rivers. No fears or disquiets, unless

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we may suspect the mutinous humours of Sir Henry Chicheley's Company; the discontents between the Lieutenant and the Ensign may be the cause. The Governor has dispersed 32 of the most mutinous amongst the garrisons. The despicable and low price of tobacco inclines the inhabitants to think of cohabitation as a means to reduce production; but I much doubt the efficiency of the late Act because of the multiplicity of places named for landing and shipping. One place in each great river would be better (*see ante, No.* 1434). "Received 9 Dec. 1680." [*Col. Entry Bk., Vol. LXXX., pp.* 396–398.]

Aug. 20. Warwick, Rhode Island.

1487. Randall Holden and John Greene to William Blathwayt. Have received his letter of 8th April last. Governor Cranston died in March last, and Major Peleg Sanford is now Governor in his stead. Refer to a letter received from the three united Colonies in answer to the King's letter of 12th February 1678-79, and to a petition presented to the King by the inhabitants of the Narragansett country. In the petition, if they are rightly informed, Richard Smith declared that his father was the first that settled that place, and expended a great sum of money for the effecting thereof, which assertion they of their own knowledge must declare against as being untrue. They themselves were inhabitants of the Narragansett country some years before Richard Smith, senior, was heard of there. In process of time Roger Williams and one Wilcockes set up trading houses, and Richard Smith, senior, afterwards came thither, having joined in partnership with Wilcockes, and had no occasion to expend anything, for the Indians would not let them have any land to improve, nor suffer them to keep a beast there. Richard Smith since combined with Major Atherton and others to deprive His Majesty and the Indians of their country, and went about to dispose of it, as is evident by the printed advertisement produced before His Majesty and Council. Marvel at their boldness. As what will be determined concerning the Narragansett country is yet uncertain, and the situation of it within the bounds of the Connecticut Charter, granted in 1662 before that of Rhode Island, seems to carry some weight, they answer:—that the King has already determined that matter under the broad seal in their charter taking notice of the agreement of both the agents; that the Connecticut Charter was under restraint in the Lord Chancellor's hand until that agreement; and that furthermore they had a former charter granted in 1643, the bounds whereof extend westward about seven miles farther than the bounds of their present charter, viz., to the Pequik River and county. Would gladly have pleaded that matter when at Whitehall, but no agent for Connecticut would appear, notwithstanding the petition of Richard Smith and others against their colony. Hope Blathwayt has received their letter concerning their difference with William Harris who took ship for England last Christmas, as it were by stealth, thinking with the assistance of the New Plymouth magistrates to surprise them, but was taken by a Turkish man-of-war to Algiers. Having sent

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Nathaniel Colson to appear in their behalf, hope no advantage will be given Harris if he be released and appear. Rest assured of Blathwayt's future favour to their colony and poor distressed town of Warwick since the late unhappy Indian wars. 2 *pp.* *With seal.* [*Col. Papers, Vol. XLV., No.* 76.]

[Aug. 28.] **1488.** Memorandum by the Bishop of London concerning the Church in Barbadoes. 1. That a Commissary be appointed under the Governor to exercise the ecclesiastical jurisdiction. 2. Inquiry to be made whether if, as ordered, every minister is constituted *ex officio* a member of his parish vestry. 3. The Governor to inquire whether the minister of each parish be in due orders according to the Church of England for administration of the Sacrament, &c. 4. The stipend of each parish to be ascertained. 5. Apprehensions of planters that the conversion of slaves may deprive the owners of their present power and disposal of them, to be dispelled as groundless. 6. Particular inquiry to be made respecting incestuous marriages, and a table of marriages, according to the institutions of the Church, to be hung up in every church, and printed copies thereof carried over by the Governor, as well as (7) the books of Homilies, of Canons, and books of articles which are prescribed by the Canons to be in every parish church. *Unsigned. Endorsed,* Recd. 28 Aug. [*Col. Papers, Vol. XLV., No.* 77, *and Col. Entry Bk., Vol. VII., p.* 22.]

Aug. 31. Nevis. **1489.** Journal of the Assembly of Nevis. Eight members present. Proposed by the Governor "that some course be taken to prevent any levy to be imposed on the inhabitants as well for the next year as the future, which cannot otherwise be avoided by reason of their proportion of the public charges, occasion of the Articles of Neutrality, and by reason of the stonework to be erected at Pelican Point or Charles Fort, and the file of men added to the guard of the guns; and besides the yearly charges, the easiest way to the people is conceived to be to impose 100 lbs. sugar additional duty on the Madeira wine, and so on other liquors in proportion" (*sic*). Agreed to unanimously by the Council and Assembly. Also voted to the above proposal that no particular votes be given in *pro* and *con*, but in general by the mouth of the Speaker.

An Act for raising an additional duty upon strong liquors imported. Confirmed by the Council and Assembly. [*Col. Papers, Vol. XLV., No.* 78.]

[August ?] **1490.** Lords Proprietors of Carolina to Lords of Trade and Plantations. We have, pursuant to your Order of 19th July, examined the petitions of Thomas Miller and Timothy Biggs. Thomas Miller, without any legal authority, got possession of the county of Albemarle in 1677, and was for a time quietly obeyed; but after a time, owing to his arbitrary action and drunkenness, he was tumultuously and disorderly imprisoned by the people, and Biggs and Nixon, who had abetted him, with him. They revived

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an old accusation of treasonable language against Miller, for which he had once been imprisoned, but never tried, and set up John Culpeper in his place. Biggs escaped to England, and informed us of these things, and we then set up Mr. Seth Southell as Governor, a moderate man, under whom we doubted not that quiet would be restored; but he was captured by the Turks in his passage outward. We then appointed Mr. Harvey to be Governor, with whom were Mr. Robert Holden as Collector of the King's Customs. We hear that everything is quiet since they went there. Soon after their arrival they committed Miller again to prison on the charge of treasonable langnage, but he escaped to England. Soon after, Biggs, who had been appointed Surveyor of the King's dues in Albemarle, quarrelled with Mr. Holden, withdrew from the Council, and persuaded James Hill, the Duke of Albemarle's deputy, to do the same, hoping, as we suppose, to create a disturbance thereby. Mr. Harvey is since dead, and Mr. Jenkins administers the Government, though Biggs with some people who have got into trouble by aiding Miller to escape, has again endeavoured to create disturbance. We are now sending out Captain Wilkinson as Governor, who, being a stranger, will, we hope, settle the local factions with moderation. Meanwhile, looking to Miller's past history, we think the selection of a new Collector of Customs will be better for the King than his re-appointment. *Signed*, Craven, Shaftesbury, P. Colleton. *Endorsed*, Read, 20 Nov. 1680. 3 *pp.* [*Col. Papers, Vol. XLV., No.* 79.]

[Aug. ?] **1491.** A list of amendments or necessary alterations to the laws of Barbadoes, ten in number, referring presumably to the parcel of laws sent by Sir Jonathan Atkins in his letter of 21st May. *Rough Draft.* 1 *p.* [*Col. Papers, Vol. XLV., No.* 80.]

Aug. 31 and Sept. 1. **1492.** Minutes of Council of Barbadoes. Bills for Replevins passed. Bill for explaining the Act touching Negros rejected. The Assembly reminded of two Bills of which they had given no account. Roger Cowley and Richard Trant explained why they could not furnish the returns of exports required of them (*see ante, No.* 1380). The Assembly brought up several orders for payment of gunners, mattrosses, and artificers employed in the fortifications. [*Col. Entry Bk., Vol. XI., pp.* 319, 320.]

Aug. 31. **1493.** Journal of Assembly of Barbadoes. Colonel Guy chosen Speaker. Bill to prohibit the putting of Negroes to trade passed with its amendments.

Sept. 1. Debate on an import duty on liquors deferred till next sitting. Orders for payment of salaries, gunners of James Fort, Charles Fort, Willoughby Fort, Fontabell Battery, Carlisle Bay Breastwork, Holetown Fort and Forts at Speight's Bay. Adjourned to 28th September. [*Col. Entry Bk., Vol. XIII., pp.* 393–397.]

Sept. 2. to Sept. 9. **1494.** Proceedings of the General Court at Boston. (1.) Proposition of Randolph to have the tobacco and other goods that was seized on 17th August, brought to trial and a day appointed for

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Hutchinson, Mitchell and others to make their defence. (2.) 2nd September 1680. Permission given Randolph by the Council to prosecute on 9th September at 9 a.m. (3.) Warrant of the General Court summoning Jonathan Jackson and Nathaniel Ballard summoning them before the Court of Assistants on 9th September. (4.) 7th September 1680. Proceedings of the Court of Assistants on the trial of 50 hogsheads and 4 bags of tobacco and other plantation commodities; after the pleas and evidences of the plaintiff, Edward Randolph and of George Hutchinson (who acknowledged the goods as his), the jury found for the defendant with costs of court, to which verdict they adhered after having been twice sent out of Court. (5.) Information of Edward Randolph demanding the forfeiture of the goods for breach of the Navigation Acts. (6.) Deposition of Daniel Mathews giving an account of the seizure of Ballard's sloop, Jackson's sloop, and of Captain Lawrence. Attested by Gerrard Francks, 26th August 1680. (7.) Deposition of Jonathan Jackson disclaiming any interest in the goods save only for freight. (8.) Deposition of Nathaniel Ballard and Timothy Bread giving an account of the way in which the tobacco, &c., came on board their vessel. 9th September 1680. (9.) Deposition of Thomas Standford with an account of a conversation with Jonathan Jackson. 9th September 1680. (10.) Deposition of Gerrard Francks concerning his lading and unlading of some tobacco. (11.) The boatswain's receipt for tobacco. *Copies.* 4 *pp.* [*Col. Papers, Vol. XLVI., No.* 1.]

Sept. 3. **1495.** The Attorney-General to William Blathwayt. Recommending Richard Chamberlain, barrister-at-law, to be Secretary of New Hampshire (*see ante, No.* 1478). *Signed,* Creswell Lewins. [*Col. Entry Bk., Vol. LXI., p.* 80, *and Col. Papers, Vol. XLVI., No.* 2.]

Sept. 4. Rhode Island. **1496.** Governor Peleg Sanford to William Blathwayt. Acknowledges letter of 8th April 1680 directed to Governor Cranston (who deceased in March last). Encloses humble remonstrance and address to His Majesty with a copy of the agreement of the two agents in England and of the Commissioners. The intrusion of Connecticut notwithstanding the King's commands is prosecuted with much violence and fury to the disturbance of the loyal subjects of that colony; Connecticut presuming on their strength to force obedience, as if they were assured the King's arm would never be stretched forth, for the relief of his poor (and by them almost ruinated) subjects. *Endorsed,* "Recd. 12th Nov. 1680." 1 *p.* *Enclosed,*

Sept. 4. 1496. I. Governor and Council of Rhode Island to the King. Several of His Majesty's subjects, coming to New England to enjoy liberty in matters of religion were, after their first settlement in Boston, forced by their neighbours' persecution, to adventure among the wild and most populous body of the natives for habitation, which they accomplished by purchasing lands of the chief

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sachems, the government of which, with all others of the Narragansett and Niantick lands, was granted by a patent of 14th March, 19 Chas. I. His Majesty, in the 15th year of his reign, gave them a charter bounded W. with Pauquatuck or Narragansett River (10 miles E. of their first charter), which bounds, after a long debate between John Clarke, their agent, and John Winthrop, agent for Connecticut, were fully agreed upon on John Clarke consenting to part with some of their former claims for a peaceable issue. It was also agreed that Pauquatuck should be called Narragansett River. Petitioners have been informed that Mr. Richard Smith and others lately settled in the Narragansett country (the greater number being not so ripe in years to give a certain information of the settlement), have in a petition to the King, complained of being wronged and oppressed by the Rhode Island government (which assertion is altogether a deception) under which they expect a confirmation of what His Majesty's Commissioners made null and void. The said Mr. Smith with others is a maintainer of discord, sometimes yielding obedience to the government as by his accepting and executing the place of an Assistant, and then at other times denying obedience. Providence (according to the information of the ancient English inhabiters and the records of each town), being the first town settled by Roger Williams and others in 163$\frac{5}{6}$, Pawtuxett and Rhode Island were settled in 163$\frac{7}{8}$, and some time after, at Narragansett (eight miles from Rhode Island) Mr. Wilcocks and Roger Williams obtained leave of the Indians to set up a trading house for commerce with the Indians there, and some years afterwards Mr. Richard Smith, senior, of Portsmouth, and a freeman of the colony, removed to this trading house, as it was said a partner to Mr. Wilcocks, the trade with the natives being then the most profitable employment in those parts. Warwick was settled in 164$\frac{1}{8}$, Pettacomscutt in 1657 by Samuel Wilbore and partners of Rhode Island, and in 1659 Major Atherton and accomplices (of which Mr. Richard Smith was one), most of them of Rhode Island, settled some parts of the Narragansett country, the place they settled on being now called Kingstown. In 1661 Misscommacutt or Westerly on the E. of Pauquatuck, and in 1677 East Greenwich were settled, both by inhabitants of Rhode Island. In 1664, at Pettacomscutt, after a long debate and "adjetation," His Majesty's Commissioners, in the presence of the Governors and Agents of the two colonies, determined the Rhode Island Government to extend to Pauquatuck River, and went in their own persons and stated the bounds thereof, a determination confirmed by His Majesty's letters. Rhode Island enjoyed the

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government till 1672, and then was (and still is) molested by Connecticut, who assert government on the E. side of the Pauquatuck, assessing, fining, imprisoning, and oppressing His Majesty's subjects, they having lately in July, in violent manner, broke open the door of one Joseph Clarke, of Westerly, and carried him away a prisoner Petitioners ask for protection from the furious oppositions and oppressions of their neighbours, and for a confirmation of their charter. *Signed*, Peleg Sanford. *Endorsed*, Recd. 12 Nov. 1680. 3 *pp.* [*Col. Papers, Vol. XLVI., No.* 2.]

Sept. 6. Windsor. **1497.** Don Pedro de Ronquillos, Spanish ambassador to the King. The Governor of the province of Carthagena reports that a barque arrived at that port sent by the Governor of Jamaica, with a letter from himself and the Governor of Tortue, whereby he was informed from Vincent Sebastian, Governor of the province of Santa Martha, and the other persons who were taken in the invasion made by pirates upon that province and are still in the island of Tortue, that those governors demand a Frenchman, a great pirate, who is a prisoner at Carthagena, and also 4,000 pieces of eight for the liberty of Vincent Sebastian and the other prisoners of Santa Martha. Now nothing can be more contrary to the treaty than to demand a ransom for prisoners that are subjects, especially after an invasion made against all reason such as that of Santa Martha. For though it be said that Frenchmen did it, yet it is certain that English were with them, and that they sailed with their prisoners to the port of Jamaica, where the Governor ought to have chastised your Majesty's subjects and not consented to demand a ransom for them. The ambassador, therefore, hopes that your Majesty will order the liberation of Vincent Sebastian and his fellow prisoners without any ransom.

Further, Don Francisco de la Guerra de la Vega, Governor of Santiago, in Cuba, reports that about September 1678 a bilander of the Isle of Jamaica arrived in that port on pretence of delivering a packet of letters to the Governor; but the ship being searched was found to contain five slaves, and other things brought with the intention of trading with them. The Governor thereupon ordered him to depart immediately (having first delivered an answer and allowed the ship to be victualled), without suffering anything to be landed, recommending the Governor of Jamaica at the same time that he would take care to prevent such exorbitances on the part of Jamaican subjects on those coasts, as prejudicial to the service of the King of Spain, and fraught with ill consequences. The ambassador, therefore, begs your Majesty to enjoin on the Governor of Jamaica to be very careful that the inhabitants forbear to carry on this unlawful trade. *Translation.* 2 *pp.* [*Col. Papers, Vol. XLVI., No.* 3, *and Col. Entry Bks., Vol. XXIX., pp.* 423–425.]

Sept. 6. Windsor. **1498.** Don Pedro Ronquillos, Spanish Ambassador, to the King. Sir Henry Goodrick, your Majesty's envoy to my master, has

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delivered a memorial complaining of a breach of the Treaty between the two Crowns concerning America, and alleging that the Admiral of Carthagena seized by force some English vessels belonging to Jamaica, took away their cargo, imprisoned the master, obliged them by torture and threats to deliver bills of sale, and in case of refusal detained them until with hunger, irons, and other ill-usage, he had obtained it; adding that this has been verified on oaths before Lord Carlisle who reported it to your Majesty, particularly the losses and sufferings of Paul Abney—how the Admiral seized him, confiscated his vessel with her cargo of cacao, and obliged him by threats and cruelties to sign a bill of sale, and how Paul Abney saw at the same time six other masters of English ships on board the Admiral treated by him in the same manner. All this Sir Henry Goodrick has represented by your Majesty's order, and prayed that the Admiral might be punished, the injured English subjects indemnified, and the Spanish Governors instructed to subject the English to no more such treatment. His Catholic Majesty ordered the Council of the Indies to examine the matter, from whose report it appears as follows:—In September—October 1679 the Governors of Havana and Caracas, and Don Antonio Quintana of the Armado of Barlavento (styled by your envoy Admiral of Carthagena), gave an account of the prizes they had taken, sending likewise authentic instruments of the hostilities committed in the Spanish dominions by different privateers. By these instruments it does not appear that the prize demanded in your Majesty name was taken by the Armado, while of the three taken, one was French, one Dutch, and the third a derelict, judged by her cargo to be English. This derelict proves that the English deal not sincerely in sailing along the coast of Santa Catalina (where she was found), for such a course leads to none of your Majesty's possessions, and lies to leeward of the Colonies to which they are permitted to go; nor is there any place on that coast for some distance where a ship may refit, whereas they had before them islands and havens proper for it. As to the captain and crew detained by the Admiral, it appears that the ship was not that alluded to by your envoy. Presumably they made use of this supposition on behalf of the prize taken by the French, as your Majesty's subjects made use of the commission of the Governor of Tortue in their piracy, which is clearly proved by the declaration of an inhabitant of the Isle of Margarita whom they carried prisoner with them for several days. Your Majesty will perceive hereby how little ground there is for this complaint, and look upon it as a captious information of the real facts. The Captain of the Armado of Barlovento, having given notice of his intention to winter in the Havana, reports no capture of an English prize on his voyage, but only that he met two English ships, and, though finding by their course and cargo that they were engaged on unlawful trade, suffered them to pass freely; and this, notwithstanding that he had experimented the infraction of the peace, in that a small vessel under his charge was taken by him in company of an English frigate, a bark and a flat bottomed boat (piragua). This is affirmed in the declaration of the inhabitant of Margarita

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aforesaid, who says that the captain of one ship was called Thomas Pem, and of the other Heohapireray, both English, and that the men were also English, with a commission from the French Governor of Tortue, and that they had both made the invasion on the Colonies on the coast of Caracas and Rio de la Hacha.

By these attempts it is likely that these were the same people who were so bold as to capture the city of Santa Martha, and, not content with plundering it, to carry away the Governor and other prisoners. These same and some other pirates also landed in Honduras, and after many insolencies plundered the King's magazine, and, among other things, carried off a thousand chests of indigo which they are known to have sold in Jamaica as they do the rest of their booty and prizes. These are not the only insolencies of these pirates; they infest the Isles of Barlovento, and have plundered Porto Bello, the most important city on the coast. We understand by certain advices that in Jamaica the pirates thereof met with others of Tortue and Guavos to the number of three hundred, provided themselves with victuals, arms and ammunition, embarked on five ships of middle size (two whereof were said to be lost in a storm), and sailed about March last, with one Cook for their captain. They coasted along, anchored in Porto Bello, landed their men and plundered the suburbs. Each man's share amounted to 30*l.* sterling, but the affair not succeeding according to their full satisfaction they retired to Jamaica to replenish with supplies, and be ready either for new insolencies on that coast or to sail to Vera Cruz. Thus their invasions already amount to hostilities, to the great damage alike of the King of Spain and of your Majesty, since the advantages of production are lost when the labourers leave cultivation and take to piracy. The Ambassador hopes your Majesty on receiving this information will order satisfaction to be given to the King of Spain and compensation to his subjects, and give effectual commands for the extirpation of these pirates, forbidding them to remain in Jamaica, or to be provided with arms and victuals, or to dispose of their booty therein, or to accept commissions from the Governor of Tortue, and ordering that no pardon be extended to them. *Translation*, 6 *pp. Inscribed*, Read 18 Sept. 1680. [*Col. Papers, Vol. XLVI., No.* 4, *and Col. Entry Bk., Vol. XXIX., pp.* 425–431.]

Sept. 6. St. Christopher. **1499.** Deputy-Governor Abednego Mathew to William Blathwayt. Yesterday came a French shallop belonging to a ship just out from France, and now lying at Martinique, which reports that on the $\frac{3}{13}$ August last there was a more violent storm than ever was known before among the French Islands. All houses, churches, and forts are blown down; in Martinique hardly a tree or a plant left growing; the citadel which Count de Blenac has been so long a building is all ruined; over twenty sail of ships, laid up in a famous harbour called the "Coulesack" (*cul-de-sac*) to secure against the approaching danger, were all scattered and wrecked; not one can be again repaired. She reports also that two English ships being at sea in the hurricane sought shelter there

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and were also lost with most of their men. Whence these English ships came or what are their names I know not, but I fear they are some blown out of Barbadoes roads, where, it is to be feared, the storm was also. I have lately heard from most of the English Windward Islands under Sir William Stapleton's government, and God be thanked, no such violence hath been there. We had stormy weather here the same day, which forced the ships in the roadstead to go to sea and wrecked two of the shallops in the harbour, but more sea than wind. Count d'Estrées is expected with his squadron every day, and eight men-of-war from Europe to join with him, which puts us to the trouble of securing our fortifications against a surprise. *Copy.* 1½ *pp. Unsigned.* [*Col. Papers, Vol. XLVI., No.* 5.]

Sept. 6. **1500.** Warrant from the Duke of York to Sir J. Churchill of Sir George Jeffreys, his Counsel, to prepare a release to Sir George Carteret of his moiety of East New Jersey. *See ante No.* 1479. [*Col. Entry Bk., Vol. LXX., p.* 33.]

Sept. 7. **1501.** Journal of Lords of Trade and Plantations. Mr. Secretary Jenkins reported that Colonel Long of Jamaica had some days before surrendered himself to him on a bond of 10,000*l.* given to Lord Carlisle, and that he had taken his security for the like sum to attend the first Council. Ordered, that Colonel Long appear on the 10th instant.

Draft Commission to Sir R. Dutton read. Ordered, that Sir P. Colleton and Colonel Drax be asked when they propose to return to Barbadoes, and what assurance they can give their Lordships of the time of their return. Their Lordships will consider whether Colonel Codrington and Francis Bond be not well qualified to be put into the Council, the former being recommended by the Marquis of Worcester. [*Col. Entry Bk., Vol. CVI., pp.* 193–194.]

Sept. 7. **1502.** The Clerk of the Assembly of Barbadoes to Lords of Trade and Plantations. Forwarding copies of the votes and proceedings of the Assembly. *Signed,* John Higinbotham. [*Col. Entry Bk., Vol. VII., p.* 55.]

Sept. 10. **1503.** Minute of Lords of Trade and Plantations That Lord Carlisle attended a Council this day with Colonel Long and stated the grounds why he had brought him over. Referred to the Lords of Trade and Plantations to examine Lord Carlisle's charge against Colonel Long. [*Col. Entry Bk., Vol. CVI., p.* 194.]

Sept 10. **1504.** General Account of the commodities imported to Barbadoes from 10th June to 10th September 1680. *Signed by* Abraham Langford, Clerk of the Naval Office. *Endorsed,* "Recd. 24 Jany. 1681." [*Col. Entry Bk., Vol. X., No.* 2.]

[Sept. 11.] **1505.** Sir Richard Dutton to Lords of Trade and Plantations. Suggestions on the draft of his commission as Governor of

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Barbadoes. He contends for the insertion of an article formerly found in the Commissions of Francis and William, Lords Willoughby, empowering him on urgent occasions to pass ordinances by the authority of the Governor and Council only, without the Assembly. He asks also for special powers to deal with refractory members of Council; that suspended members may not be eligible to the Assembly; that Councillors be not appointed without the Governor's recommendation; that no further officers may be appointed by patent under the Great Seal to offices in Barbadoes, nor Deputies be permitted to act for patentees without the Governor's certificate: and that no persons employed by the Island of Barbadoes be noticed by the King, unless themselves duly accredited and their propositions duly endorsed by the Governor and Council. *Unsigned*, 2 *pp.* [*Col. Papers, Vol. XLVI., No.* 6.]

Sept. 15. Council Chamber.

1506. Report of Lords of Trade and Plantations to the King. We have read the letter from the Governor and Council of Massachusetts of 22nd May last (*ante, No.* 1363), wherein they report the several measures that they have taken in obedience to your Majesty's letter of 24th July 1679; but we find therein not the least notice taken of certain material parts of your letter desiring them to permit freedom of conscience to members of the Church of England, and admit them to a share in the government, as also to all your Majesty's subjects (except Papists) whether they dissent from the "Congregational way" or not. Nor do we find that they have repealed the Acts specified by the Crown Law Officers nor obeyed other of your directions, for we hear that they still carry on their mint without permission, and obstruct the working of the Acts of Trade and Navigation in every possible way, nor have they sent over new agents as directed. We have also read the petition of Robert Mason for the confirmation of his right to a certain tract of land within that government, and by all these particulars we are made the more sensible of the small regard they have for you, and offer the following draft of a letter to be sent to them. *Draft.*—By our letter of 24th July we signified our willingness to forget all past errors, and showed you the means by which you might deserve our pardon, and desired your ready obedience to certain commands, all of which we intimated to your agents. We little thought then that our favour would have found so little acceptance with you; but we learn by a letter from you of 22nd May last that few of our directions have been pursued, and the rest put off on insufficient pretences. You have not even sent us the new agents that we ordered to be sent over within six months after receipt of our letter, though the petition of Mr. Robert Mason was left undecided at the request of your former agents until their successors should arrive. Nevertheless we continue our clemency towards you, and we therefore require you seriously to reflect upon our commands already intimated to you, and within three months of the receipt hereof to send us such person or persons as you think fit as your fully qualified agent or agents, who shall bring us such evidences of right as you may have

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to the land claimed by Robert Mason. You will also warn the inhabitants and tenants on that land to produce their titles, that they may not complain that they have been deprived of their lawful defence. You will further call a General Court on receipt of this letter, read our letters and see to the execution of the commands therein, in default whereof we shall take the most effectual means to enforce the same. Dated 15th September 1680.

Further, we have received two addresses from New Hampshire (*ante Nos.* 1413, 1414) acknowledging your Majesty's favour in granting them a separate government, but no intimation of their proceedings thereupon nor of the laws, methods of government, &c., agreed upon by them, which by your Royal Commission were to be submitted to your approbation. For the better provision of such means we think it well that a Secretary should be appointed, competent to help them in framing their laws and settlement, and at the recommendation of the Attorney-General, we suggest Mr. Richard Chamberlain for the post. [*Col. Entry Bk., Vol. LXI., pp.* 87–94.]

Sept. 15. **1507.** Petition of the General Court of New Plymouth to the King. Thank His Majesty for his grace to them for the granting of Mounthope, and for the invitation to apply for a confirmation of their privileges. Pray for the continuance of their civil privileges and religious liberties, the exercise of which was the known end of the first comers in 1620. Pray for an incorporation into a body politic with the privileges that have been granted to Connecticut; are confident of His Majesty's favour as they bore the brunt of the first English colony there settled, and were forced to sit down in the barrenest part thereof and destitute of any convenient place for beaver trade or fishing, especially since Penobscot and other of those eastern parts fit for trade granted in their patent were forcibly taken from them by the French and have since been granted to the Duke of York. Intended to have sent one of their members to have waited on His Majesty with this address, but considering their paucity of fit men to stand before His Majesty, and Lord Culpeper condescending to give his favour to so low a service for them, hope no neglect will be charged to them. Have betrusted and entreated Mr. William Blathwayt to give himself the trouble of managing this weighty concern. Give an abstract of the Charter they would desire, defining the government, jurisdiction, limits, &c. *Signed* Josiah Winslow. *Endorsed*, Recd. 26 March 1680. Read 27 October 1681. Read 17 Nov. 1684. 3 *pp.* [*Col. Papers, Vol. XLVI., No.* 7.]

[Sept. 15. Whitehall.] **1508.** Warrant for payment of 2,245*l.* 2*s.* 8*d.* to the Colony of Virginia for six months from 1st July 1679 to 1st January 1680, viz., to the Governor 500*l.*, the Lieutenant-Governor 300*l.*, the Major-General 150*l.*, incidental charges 300*l.*, the Commissary of the Musters 46*l.*, and to Sir Henry Chicheley's company 949*l.* 2*s.* 8*d.* [*Dom. Entry Bk., Chas. II., Vol. LIX., p.* 52.]

Sept. 16. **1509.** Journal of Lords of Trade and Plantations. Lord Carlisle delivers a paper with his charges against Colonel Long which

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is read (*see No.* 1512). His Lordship declaring that he had nothing against him except what was contained in the paper though reserving the right to explain the same. Colonel Long is called in and the paper is read to him. He denies the erasure of the King's name from the Bill of Revenue, and gives an explanation which is confirmed by the letters of four gentlemen of Jamaica and the Clerk of Assembly. As to the habeas corpus he declares that he did not know the person was condemned and that it is usual for Judges to sign blank habeas corpus which the Clerk gives out in due course. He had never opposed the King's order except by expressing his opinion that they were not for His Majesty's service or the good of the country. [*Col. Entry Bk., Vol. CVI., pp.* 194–196.]

Sept. 16. H.M.S. Assistance, Bay of Bulls (Newfoundland).

1510. Captain Sir Robert Robinson, R.N., to William Blathwayt. I send you answers to your heads of inquiry which I have collected out of each harbour belonging to the English. I give an account of 200 ships and vessels now in these parts of the island; but daily several ships and vessels come in and out from New England, which may, in the whole year, amount to 100 sail, and which it is impossible for the men-of-war to take account of. Again, we give you an account of but 170 and 180 quintals to a boat, but this is what the planters and fishers gave us this year, and they always speak of the least; but their general voyages are from 250 to 300 to a boat, which in the whole will amount to 100,000 quintals more [than named in my returns]. Further, I would desire their Lordships should be acquainted how grossly he is abused by the New England men that come to this place, who, contrary to the Royal Command, annually carry away from here several of his subjects, seamen and others, who never return to England. When therefore occasion calls for seamen, His Majesty must want them, as was done this year, as I understand by the complaints of several masters of merchantmen and even more of the fishermen. *Signed.* 1 *p. Annexed.*

1510. I. Names of the fishing ships in St. John's harbour, with other particulars. In all 24 ships, of 2,425 aggregate tonnage, carrying 619 men, 77 guns, 121 boats. They catch annually 19,290 quintals of fish, make 173½ hogsheads of train, and use 23 hogsheads of "fats."

1510. II. List of the by-boat keepers in St. John's, who each keep stages, 42 in all, with 97 boats, employing 455 men, catching 16,680 quintals of fish. (*N.B.—Every vessel in these two lists, with one or two exceptions, is from a South Devon port.*)

1510. III. An account of the stages, rooms, trainfats, ships, and men employed in St. John's and Bay of Bulls, with number of horses and planters—35 inhabitants in all.

1510. IV. Account of the inhabitants in St. John's and Queue de Vide, 39 men, 18 wives, 17 sons, 14 daughters, 6 women servants, men servants, 200 in winter, and 93 in summer. (*N.B.—A large proportion of the names are Devonshire names*).

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1510. v. A list of fishing ships in Newfoundland—24 in all, with the exception of one or two Spanish vessels, exclusively from Plymouth, Teignmouth, Topsham, and Dartmouth.

1510. vi. Account of the sackships in St. John's harbour, 30 ships from divers ports, 2,410 tons, 331 men, and 122 guns.

1510. vii. "A list of the harbours and fishing coves between Cape de Race and Backelive, which is the nether part of Bay of Consumtion."

1510. viii. Copy of a letter from Rennooes, dated 29 July 1680, giving particulars of fishing at Trepassy, average catch of the ships, movements of the Admiral, damage done in St. Mary's by the English last winter. ½ *p.*

1510. ix. Declaration signed by six men of St. John's harbour that they had seen the master of the ship Katherine cast his press stones out of his ship into the harbour contrary to His Majesty's orders and to the damage of the port. Dated 9th August 1680.

1510. x. Inquiries made by Sir Robert Robinson, Commander of Her Majesty's frigate Assistance in answer to the heads given to him by the Lords of Trade and Plantations:—

(1.) Numbers of population given above. The people live from 1st May to 1st November by fishing, and in the winter by sawing, board-making, fowling, and furring.

(2.) They are not able to support themselves, but obtain their provisions from England, Ireland, France, and New England.

(3.) The inhabitants make no destruction of wood, but last year some new settlers spoiled the stages. Timber abounds except at St. John's, where, owing to the number that resort thither, it must be brought from a distance.

(4.) The planters take their fishing places, good or bad, as the Adventurers do, and desire not maliciously to obstruct the Adventurers anywhere.

(5.) The byboat-keepers make little or no spoil of the Adventurers' stages, but generally the fishermen themselves first and the planters afterwards, but this does not force them to come two months earlier to repair them, as represented. They could not come a month earlier than they do, and generally they come later and later every year.

(6.) The boat-keepers have a supply of provisions, clothing and fishing necessaries from England, Ireland, France, and New England.

(7.) Planters cannot live far from the waterside because of their employment in fishing. There is a little arable and pasture but fishing is more profitable. The French monopolise the fur trade.

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(8.) There is trade with New England, sugar, bread, tobacco, and rum.
(9.) The boats and catch of the inhabitants is given above. They cannot afford to sell their fish cheaper than the Adventurers, for they pay more for their materials, &c.
(10.) The New England men fish on their own coast but not in Newfoundland; and their fishing decays owing to French interference.
(11 and 12.) Are answered by the returns.
(13.) Masters allow their men to stay behind, and more stay every year, some of whom are taken to New England.
(14.) The Western Charter is little regarded and its rules neglected till the men-of-war arrive.
(15.) The French far exceed us in the land and on the sea in ships. They are fortified and have a government, have better fishing grounds, and better organisation than the English.
(16.) There may be 80 families in Placentia and several families in each of the many harbours in Fortune Bay. No inhabitants in St. Mary's.
(17.) The French have few plantations and live like the English in the winter.
(18.) The French carry on their trade with less expense and therefore with greater gain.
(19.) About Placentia ships come far earlier, 1st February. and leave sooner, elsewhere the French season is the same as ours.
(20.) The French rather increase than decrease, making better voyages than we do.
(21). There is a fort at Placentia and one at St. Peter's which is supplied annually by a French man-of-war.
(22.) Several English live among the French and in good accord, but there is no correspondence between the planters of the two nations.
(23.) There is no such thing on the coast.
(24.) The French trade increases greatly on the bank of Canada, but an account of their ships must be sought at the ports of France.
(25.) The Biscayans fish to north of Bonavista, and with the French, but not with us.

3½ *pp. Endorsed,* Recd. 11 October 1680. [*Col. Papers, Vol. XLVI., Nos.* 8, 8 I.-X.]

Sept. 16. **1511.** [Secretary Sir Leoline Jenkins ?] to Mr. Godolphin. Lord Carlisle gave in his charge this day at the Committee against Colonel Long, charging him with having razed the King's name out of the Act of Revenue; 2ndly, with having granted a habeas corpus for a private convict; 3rdly, with having opposed the new

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model with seditious insinuations among the people. Colonel Long denies the razure, pretends that the habeas corpus could be of no ill consequence because the trial was illegal, and justifies his opposing the new model, but with such arguments as mutinies and seditions use to be maintained withal. He has some skill in law (he was Chief Justice in Jamaica), but seems to have little affection for the Government. Their Lordships will report to-morrow to the Council that Long and his bail are to be discharged of their recognizances, which he fears may be of some disadvantage to Lord Carlisle, and matter of great triumph to this man when he returns to the Island. 1 *p.* [*Dom. Entry Bk., Chas. II., Vol. LXII., pp.* 72, 73.]

[Sept. 16.] **1512.** Lord Carlisle's charge against Colonel Long. At my arrival in Jamaica I met Colonel Long, being Chief Justice and a member of Council, which induced me to believe him a fit man to help me to put the new model into execution, but upon discourse with him found him utterly averse. He urged that it was against law and justice to alter the constitution Jamaica had so long lived under, or subject her to any form but that of England, which is an Englishman's birthright. I tried hard to convince him of his error but found him obstinate, yet thought it prudent to do no more than oblige him not to report his opinions publicly, lest he should pervert others, which with some difficulty I persuaded him to promise me. This promise he observed not. I then warned him how pernicious his opinion and his obstinacy therein might prove to himself, in respect of his high station and thwarting of the King's authority. Soon after, upon the perusal of the Acts made in Lord Vaughan's government, I found the King's name which had been inserted in the Act of Revenue razed out and interlined. Colonel Long was Speaker of that Assembly, with whom I discoursed that affair. He owned the interlineation to be in his own hand, but denied the erasure. After much discourse I argued that it was most rational to conclude that he that did the one did the other. He replied that if it were so, he knew of no crime there was in it. I referred the matter to the Council in his presence, and he said that what was done had been done by himself as Speaker and in the Assembly. Thereon several of the Council said that, as to the alteration, it was plain that the King's name had been in, but had been razed out; the Council book contained a fair entry of the passing of that Revenue Act and of several amendments thereon, but not a syllable of this, and they desired that the Assembly's journal might be searched, wherein the alteration or razing, with the words interlined, must needs appear by a vote. The journal was perused (a true copy thereof is to be produced) and there is no such thing. The Council in their address disown all knowledge of the alteration, and did all but one, the said Colonel Long, affirm that the Act was passed by them with His Majesty's name in and not otherwise, as appears by the Council Journal.

Colonel Long was Chief Justice when he signed a habeas corpus on behalf of one Brown, a condemned pirate, the Marshal having then

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in his hand a warrant for his execution, and brought the Assembly to espouse his cause so warmly that by vote of the majority the Speaker, Lieutenant-Colonel Beeston, signed a warrant to the Marshal to suspend the execution of Brown and obey the habeas corpus, in so disorderly a manner that Lord Vaughan was forced to dissolve the Assembly.

On the debate on the address from the Council to the King, Colonel Long with a most unbecoming heat opposed it. In the course of debate one member said that by humility and obedience they might prevail with His Majesty to grant at any rate a part of their wishes, and that they ought to be content with one concession at a time. Whereupon Colonel Long replied that he desired nothing but his rights as an Englishman, and that he would not be contented with less, he wanted no half measures, but to be governed as formerly and the new model to be laid aside.

When the Assembly's address was read, I dissapproved of great part of the matter and altogether of the manner. Colonel Long pleaded for its justice, truth, and regularity. I replied that by his zeal and as well as the matter and manner and it was likely he helped the Assembly to draw it. He replied that he had. I told him that in this as in other matters he had forgotten his station. He answered that he believed he might answer the discoursing and assisting of the Assembly men for the parish he belonged (*sic*) by whom and under whom he was concluded. Finally, notwithstanding my great and often pains with him to cause him to alter his opinion or at least not to poison others, I met with nothing but undutifulness and obstinacy. So evilly did he practice with all that he had credit with that I was forced to divest him of all public authority. *Unsigned. Endorsed,* Read 16 Sept. 1680. 2½ *pp.* [*Col. Papers, Vol. XLVI., No.* 9, *and Col. Entry Bk., Vol. XXIX., pp.* 418–422.]

Sept. 18. **1513.** Journal of Lords of Trade and Plantations. Answers received from Sir Peter Colleton and Colonel Drax as to their return to Barbadoes. Sir Peter will return as soon as he has ended a vexatious lawsuit against him, Colonel Drax as soon as his business permits. Their names are therefore retained on the list of the Council, which, except the insertion of Francis Bond in lieu of Benjamin Knight, is left unaltered. Sir Ralph Dutton's commission and instructions resumed. A clause added making the senior resident member of Council President in case of the Governor's death. Sir Richard Dutton's paper of proposals read, and a clause added to the Commission, empowering him to administer the oath of allegiance. Agreed to advise the King to insert a clause voiding the patents of non-resident patentees of offices, and leave the gift of offices with the Governor. The test, as well as the oath prescribed for Councillors.

Memorials of the Spanish Ambassador, dated 6th September (*see Nos.* 1497, 1498), respecting piracies in Jamaica, read and referred to Lord Carlisle. Letter from the Council of Jamaica of 20th May read. Their Lordships think it very necessary that the law therein

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mentioned, making it felony without benefit of clergy to serve a foreign prince, be revived. As to sending four frigates their Lordships will confer with Lord Carlisle. [*Col. Entry Bk., Vol. CVI., pp.* 196–198.]

Sept. 18. **1514.** Extract from a letter from [Secretary Sir Leoline Jenkins ?] to Mr. Godolphin. The Committee for Jamaica did nothing in Lord Carlisle's business; he himself could not attend being very ill with the gout. Their Lordships went over the instructions for Sir Richard Dutton. [*Dom. Entry Bk., Chas. II., Vol. LXII., p.* 76.]

Sept. 20. **1515.** Lords of Trade and Plantations to Lord Carlisle. Transmitting copies of the memorials of the Spanish Ambassador and ordering his attendance (*see ante No.* 1513). [*Col. Entry Bk., Vol. XXIX., p.* 423.]

[Sept. 21.] **1516.** Lord Carlisle to Lords of Trade and Plantations. Answer to the memorials of the Spanish Ambassador (*ante Nos.* 1497, 1498). The representation made by Sir Henry Goodrick as to the arrest and plunder of Paul Abney by Don Antonio Quintano is truth, being founded not on Abney's deposition only but confirmed to me by three masters of vessels, William Beartree, John Tood, and Thomas Read, all of whom were prisoners on board Don Antonio Quintano at the time. While Don Antonio continues to deal so roughly with these English, to make prize of their ships and goods, and prisoners of their men, no good understanding is possible between the two nations.

The depredations and injuries of the privateers are committed by a sort of men without the reach of Government; but the injuries that we suffer from them are from men in office and public employ. It is true that at my first arrival in Jamaica I invited the privateers in, but it was out of kindness to the Spaniard, to endeavour to reclaim them from evil courses. Finding them persevere I presently sent out the frigates whenever I heard of them about Jamaica, and I do believe I have taken while there more of their vessels than Don Antonio in the whole time of his being Admiral, though I could not proceed to punishment of any particular person, having no complaint of the Spaniards against them. It is true that I heard, as news, of the taking of several chests of indigo in the Bay of Honduras; but no complaint was made. There were some chests of foreign indigo brought into the remote parts of the Island, and these I caused to be searched for, and captured a small quantity. The rest escaped, and some was brought into Port Royal, but in lawful ships and by lawful men (no privateer ever brings any such thing thither) and was therefore admitted to entry by the Customs. As to Vincent Sebastiano, Governor of Santa Martha, and the allegation that I demanded ransom from him, I know so little of the matter that I never heard his name till now nor of any ransom required. I have always shown all kindness and civility to Spaniards arriving at Port Royal, and having even set at liberty Spanish negroes who could prove that they were freeborn in their own country. As to

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the derelict vessel, she belonged to Cook. Though at anchor under British colours and under the command of a Dutch Island near Curaçoa, the men stood ashore and looked on, preferring to sacrifice their ship rather than fall into the hands of the Spaniards by whom they knew so many to have been ill-treated and undone. This caused Cook to turn privateer, he having never been so before. I heard of the capture of Porto Bello before my departure, but none of the privateers returned to Jamaica, but sailed straight to the river Darien, and by that King's assistance passed through to the South Seas, where for all I know, two and three hundred of them still remain. Coxon alone, who went with them as their Captain, with five and fifty more, left them in consequence of some drunken quarrel; and these I met with off Point Negril on my passage home. We gave chase with the Hunter frigate in company for twenty-four hours, but he outsailed us and we could not come up with him, but we took two vessels belonging to him forsaken by their crews who were all aboard his vessel. 2½ *pp. Signed. Inscribed,* Read 21 Sept. 1680. [*Col. Papers, Vol. XLVI., No.* 10, *and Col. Entry Bk., Vol. XXIX., pp.* 431–434.]

Sept. 21. **1517.** Journal of Lords of Trade and Plantations. Lord Carlisle's answer to the Spanish Ambassador's memorial (*see preceding abstract*) read, his Lordship being unable to attend through sickness. Lord Sunderland directed to send a copy to the Spanish Ambassador, and to move the King at Newmarket about sending frigates to restrain privateers.

Mr. Chaplin delivered a box from Sir Jonathan Atkins, with a map of Barbadoes, and several laws and bills mentioned in his letter of 21st May.

Sept. 22. Minute of Lords of Trade and Plantations. Colonel Long called in, asks to be freed from his bond and security, and to be furnished with a copy of Lord Carlisle's charges; all of which is granted him. [*Col. Entry Bk., Vol. CVI., p.* 199.]

Sept. 23. Barbadoes. **1518.** The Governor and Council of Barbadoes to Lords of Trade and Plantations. Transmitting quarterly returns of the proceedings of the Council, of Acts passed, and of imports, with an excuse for not sending the return of the exports. *Signed* by the Governor and nine members of Council. *Duplicate copy.* [*Col. Papers, Vol. XLVI., No.* 11.]

Sept. 27. **1519.** Sir Richard Lloyd, Judge Surrogate of the Admiralty, to Lords of Trade and Plantations. Hastens to answer a letter from Mr. Blathwayt, dated 22nd May 1679, but brought to him for the first time last Wednesday by Mr. John Wachtendonck, which letter contained two questions. (1.) Is the Dutch West India Company liable to pay the necessary expenses incurred by the officers at Barbadoes in looking after and preserving the ship Asia? (*see ante, Nos.* 999, 1000). (2.) If such charges be paid, what sum should be allowed? In answer to 1, Lloyd thinks the charges should be paid. By Sir Jonathan Atkins's account the ship was brought to

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Barbadoes derelict and leaky and was sold for 300*l.*, before any one laid claim to her or any order for her delivery had been received from the King. As to 2, the amount cannot well be determined till the demands be known. If Sir Jonathan ask unreasonably, their Lordships or the Court of Admiralty can fix the sum. 2 *pp.* [*Col. Papers, Vol. XLVI., No.* 12.]

Sept. 28. **1520.** Minute of Council of Barbadoes. Message from the Assembly as to the fate of bills sent to the Council. Answer that some had been dealt with and that the rest were under consideration. Bill for prohibiting negroes to be artificers thrown out. Orders for payment of sundry salaries to gunners and mattrosses returned to the Assembly with amendments. Two payments passed. Message from the Assembly that they were adjourning for a fortnight, and bringing up a bill for continuance of expiring laws. Order that the first quarterly returns required by the Lords of Trade and Plantations be sent by next ship. [*Col. Entry Bk., Vol. XI., pp.* 321–324.]

Sept. 28. **1521.** Journal of Assembly of Barbadoes. Debate on the imposition of an import duty on liquors, adjourned.

Sept. 29. Bill to continue expiring Acts passed. Orders for payment of several accounts for material for the fortifications. Adjourned to 19th October. [*Col. Entry Bk., Vol. XIII., pp.* 398–400].

Sept. 30. **1522.** Journal of Lords of Trade and Plantations. Sir William Stapleton's letter of 27th July read. Their Lordships think it very necessary that a frigate should be maintained in the Leeward Isles, and noticing that the King has received no account of late years of the revenue arising from the duty of 4½ per cent., will recommend to the Commissioners of the Treasury the improvement of that revenue for the support of Government there. Letter of 10th July from the Clerk of the Assembly of Nevis read.

Paper delivered by the Bishop of London for insertion in Sir R. Dutton's Instructions (*see ante, No.* 1488). On No. 3, it is thought fit to instruct the Governor to inquire and report to the Bishop whether there be any persons that preach and administer the sacraments in Barbadoes not being in orders. On No. 4 the Lords will ask the merchants when they attend next week, and also on No. 5. An Instruction to be inserted whereby the Governor shall express disapprobation of all laws which hinder or restrain the liberty of appeal to the King in Council, except in criminal cases and civil causes where the sum in question does not exceed 100*l.* Sir Richard Dutton called in, who proposes (1) that he be not obliged to show all his Instructions to the Council, (2) that a trade may be permitted with the Spaniard for gold and silver (which their Lordships do not approve of), (3) that the building of a house for the Governor be recommended.

Petition from some of the inhabitants of Maine read, complaining of the hardships put upon them by the Government of Massachusetts, but their Lordships do not think fit to give any

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order therein. Letters to the President and Council and Secretary of New Hampshire to send quarterly accounts, read and signed. [*Col. Entry Bk., Vol. CVI., pp.* 200–204.]

Sept. 30. **1523.** [William Blathwayt] to the merchants of Barbadoes. The Lords of Trade and Plantations noticing the unhappy state of the negroes and other slaves in Barbadoes by their not being admitted to the Christian religion, wish to discover some means whereby they might be admitted and encouraged thereto without prejudice to the freeholders; and planters have ordered me to send you a copy of the law concerning negroes, and to request you to attend their meeting on Friday 8th October. *Copies sent to* Sir Peter Colleton, Mr. Eyles, Mr. Bawden, Colonel Thornburgh, Mr. Scott, Mr. Davers, and others. ½ *p.* [*Col. Entry Bk., Vol. VII., p.* 23.]

Sept. 30. **1524.** Lords of Trade and Plantations to the President and Council of New Hampshire. Require them to transmit quarterly accounts of matters of importance relating to the province, debates in Council, passing of laws, state of trade inwards and outwards, observations on the state of the province, &c., signed by the President and Council; duplicates to be sent by the next succeeding conveyance. This letter to be registered in the Council Book. *Signed*, Anglesey, Radnor, Worcester, Essex, Halifax, Clarendon, H. London, L. Jenkins. 3 *pp.* [*Col. Entry Bk., Vol. LXI., pp.* 101–103.]

Sept. 30. **1525.** The same to the Secretary and Clerk of the Council of New Hampshire, requiring him to send accounts of all things transacted in his office and of all orders and papers registered there. 2 *pp.* [*Col. Entry Bk., Vol. XLI., pp.* 103, 104.]

Sept. 30. **1526.** Commission appointing Richard Chamberlaine Secretary and Clerk of the Council of New Hampshire. *Endorsed*, Entered among the Patents. 2 *pp.* [*Col. Papers, Vol. XLVI., No.* 13, *and Col. Entry Bk., Vol. LXVII., p.* 3.]

Sept. 30. **1527.** Petition of Inhabitants of Maine to the King. Describe the encroachments of the Massachusetts, and the heavy taxes (to the amount of 3,000*l.* and upwards) to be paid by the inhabitants of York, Wells, and Kittery. Pray that such whose names they represent may be empowered to govern till His Majesty's pleasure be farther known. 136 *signatures. Inscribed*, Read 30 Sept. 1680. 2 *pp.* [*Col. Papers, Vol. XLVI., No.* 14.]

Oct. 1. **1528.** Warrant appointing Mr. Mason to be of the Council of New Hampshire. *Signed*, Sunderland. 3 *pp.* [*Col. Entry Bk., Vol. LXI., pp.* 104–106.]

Oct. 1. Boston. **1529.** Order of the Court of Assistants at Boston. That when any person shall obtain from the Governor an order for the meeting of the Court of Assistants, and of a jury, the Secretary before

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granting a warrant for summons of a jury shall require the plaintiff to deposit 10*l.* as caution money to repay the charges of the court. *Written in the margin. Mem.*—I was attached in execution of 600*l.* because I did not prosecute John Brock, and was forced to get a special Court.—E[dmund] R[andolph]. Scrap. [*Col. Papers, Vol. XLVI., No.* 15.]

Oct. 2. Hartford. **1530.** John Allyn, Secretary of Connecticut, to [William Blathwayt]. Requests his Honour to give them a conveyance to Mr. William Harris if he be arrived, but if he be not arrived or should be dead, to open the "pacquett" and peruse it and improve it to their best advantage. *Endorsed,* From the Secretary of Connecticut about the Narragansett. Recd. 6 Jan. 1680. 1 *p. Enclosed,*

1530. I. Pleas of Right about the Narragansett country. *Calendared under* 15*th July* 1680. 1 *p. Copy.*

1530. II. Governor Winslow's certificate that 20 years since, in a discourse between Plymouth and Rhode Island about boundaries, the commissioners for that colony, Roger Williams and Captain Randal Holden, pleaded that Patucket river between Rehoboth and Providence was Narragansett river, and New Plymouth has not for many years past prosecuted any claim beyond that river. *Dated* 22*nd August* 1679. [*Col. Papers, Vol. XLVI., Nos.* 16, 16. I.]

Oct. 4. Bay of Bulls. **1531.** A list of the ships under the convoy of His Majesty's frigates, Assistance and Assurance, under the command of Sir Robert Robinson. Seventy-one ships, two-thirds of them from Devonshire ports, and from Barnstaple and Bideford in particular. 2 *pp.* [*Col. Papers, Vol. XLVI., No.* 17.]

Oct. 5. **1532.** Richard Wharton and John Saffin to Thomas Lord Culpeper, Governor of Virginia. Respecting the controversy between Connecticut and Rhode Island about jurisdiction in the Narragansett Niantick, and Chesett counties. Property hath by many legal conveyances from the Indian Sachems been transferred to sundry of His Majesty's loyal subjects who have by great expense and hazard of their estates upon encouragement from His Majesty's letter of 1st June 1663, made new and considerable adventures for settlement of the countries and for adding another colony to the Crown. By an inadvertent act of some of His Majesty's Commissioners and the pretensions of Connecticut and Rhode Island to Government, the plantation was greatly discouraged, and for lack of protection in the late Indian wars laid desolate. Owing to the Rhode Islanders sending forth the scum and dregs of their unsettled plantation to possess our lands and disturb our settlements, we have lately petitioned His Majesty for a confirmation of Government of the Province to Connecticut, or that it may be added to New Plymouth, or that it may, as a distinct province, be privileged like the other colonies with a charter to the proprietors; also that the King would commissionate judicious, righteous, and uninterested persons to elect

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a Court of Claims in New England, to determine all private claims and pretensions, and to ascertain the bounds between the colonies. We beg you to represent our case, a breviate of which is enclosed, to the King, and to favour our friends, Thomas Deane, John Lewin, and William Harris, who will wait upon you with your recommendation and good direction. 1 *p.* *Enclosed.*

1532. I. Breviate concerning the right of John Saffin, Richard Wharton, and Elisha Hutchinson to the Narragansett country:—(1) Purchased those lands from Connonnicus, the great Sachem of those countries, at the first coming of the English into these American parts. About nineteen years since their right was manifested in the presence of several hundred English and Indians by the free consent of the under-sagamores and counsellors, who all gave up their rights, as also by the receipts of money from them by the sachems and their interpreters at sundry times. (2) By their instance the Sachems subjected themselves and people to the King's government, in and by the united colonies in England, who have approved of their purchase and right, and in particular by their late letter and address to the King; their actions about the said lands were open and not clandestine, deeds and evidences being registered and remaining in courts of record. (3) His Majesty allowed and confirmed their rights by his letters to the colonies of 21st June 1663, commanding them to defend the Proprietors in their rights against the injuries done by Rhode Island, terming their irregular and tumultuous actions a scandal to justice and government. (4) The chief sachems in the time of the late bloody rebellion of Philip (before they also revolted) confirmed the grants of the lands, in the 7th Article of their treaty now in print; nor did the Indians ever manifest the least discontent at the possession of those lands by the Proprietors. Assert, in answer to the statement of John Green and Randall Holden, that the Narragansett lands were never purchased by any English but given to King Charles I.,—(1) A great part of the lands were purchased above 40 years ago by Roger Williams still living, and by Richard Smith, deceased, and are possessed to this day by his son Richard; (2) The subjection of the Indians to the King was no other than the putting themselves under his protection. Answer to the objection that His Majesty's Commissioners in 1664 made void all their deeds and evidences on condition of the Indians paying 1,055 fathom of "Wampampeage,"—(1) That the Commissioners had no right to make void any title of lands; (2) That the said declaration was made null by the absence of Colonel Nicholls; (3) If the validity of the act were granted, the condition, viz., paying so much wampampeage, has not been fulfilled, and so the act is void; (4) Colonel Nicholls and the rest of

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the Commissioners, on better consideration, made null their previous act. *Endorsed*, Copies of a declaration or breviate to the King. Abt. the Narragansett country. Recd. from my Ld. Culpepr. 12 Sept. '81. 3 *pp.* [*Col. Papers, Vol. XLVI., Nos.* 18 *and* 18. I.]

Oct. 6. Whitehall. **1533.** Lords of Trade and Plantations to Sir Henry Morgan. Ordering transmission of attested transcripts of the books and registers of the past Assemblies, and true copies of their proceedings in future. *Signed*, Anglesey, Bridgewater, Clarendon, Essex, Fauconberg, H. Seymour, Sunderland, Worcester, L. Jenkins. [*Col. Entry Bk., Vol. XXIX., p.* 440.]

Oct. 6. **1534.** The same to the Secretary of Jamaica. Lord Carlisle has furnished attested copies of the Council's records to 3rd September 1678; copies of the proceedings since that date, and perpetually, are to be furnished by you. *Signed* as the above. [*Col. Entry Bk., Vol. XXIX., p.* 440.]

Oct. 8. **1535.** Journal of Lords of Trade and Plantations. Petition of John Wachtendonck read praying for compensation to the Dutch West India Company for the ship Asia. Sir Richard Lloyd's report thereon read (*see No.* 1519). Ordered that Sir Jonathan Atkins be directed to bring the sum of 300*l.* with him and a particular account of the salvage charges. With this Mr. Wachtendonck is satisfied.

Lord Culpeper's letter from Virginia of 8th July read (*see No.* 1433), with the laws enclosed therein. Discussion deferred till next meeting.

The gentlemen of Barbadoes attend, Sir Peter Colleton, Messrs. Lucy, Scutt, Davers, and others, who declare that the conversion of their slaves to Christianity would not only destroy their property but endanger the island, inasmuch as converted negroes grow more perverse and intractable than others, and hence of less value for labour or sale. The disproportion of blacks to whites being great, the whites have no greater security than the diversity of the negroes' languages, which would be destroyed by conversion, in that it would be necessary to teach them all English. The negroes are a sort of people so averse to learning that they will rather hang themselves or run away than submit to it. Conversion will impair their value and price, and injure not only the Planters but the African Company. Upon the whole matter, their Lordships think best to leave the Governor, Council, and Assembly to find out the best means for converting the negroes without injury or danger to property, which is made an instruction to Sir R. Dutton. Asked about the salaries of ministers, the gentlemen reply that the old stipend was 1 lb. of sugar per acre, but since the fall in the value of sugar the stipend is made up by the vestries to 100*l.* per annum, that of the minister of St. Michael's rising to 300*l.* It is not in the power of vestries to displace them or lessen their allowance. Asked as to the reason why laws have of late been

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usually made for two years only, Sir Peter Colleton answers that it was by accident and mistake, not by design of the Assembly. The gentlemen being withdrawn, their Lordships order Sir R. Dutton to be instructed to ascertain the stipends of ministers, if it be not already done. On Sir R. Dutton's proposals, agreed that the Governor be compelled to show to the Council those only of his Instructions in relation whereunto the advice and consent of the Council is mentioned to be requisite. [*Col. Entry Bk., Vol. CVI., pp.* 205-9.]

Oct. 11. Whitehall. **1536.** Journal of Lords of Trade and Plantations. In reference to Lord Culpeper's letter from Virginia of the 8th July (*ante, No.* 1433). The first proviso repealing former Acts for raising a public revenue approved, but the last proviso which frees the Virginia owners of ships from the duties of 2*s.* per hogshead and the Castle duties, very much disliked. Resolved that a draft order be offered in Council for confirming this Act as it was transmitted under the Great Seal, together with the proviso for repealing other laws, and disallowing the exemption of Virginian owners, and that a letter be written by the Committee to Lord Culpeper directing him to publish the Order and to take care that it be duly obeyed.

Agreed to advise the King to give strict orders to the Commissioners of Customs to furnish the Committee from time to time with an account of all commodities exported and imported, and by what ships as well in the out ports of England as the port of London; also to direct their Collectors in the Plantations to keep exact accounts of exports, imports, and shipping therein.

Mr. Perrot, Mr. Scutt, and Mr. Pollexfen, agents appointed by the Western towns to attend the Lords in the business of Newfoundland, are called in and report that the towns for which they act apprehend the appointment of a Governor of Newfoundland to be very prejudicial to trade, and can give no other answer. A letter received from Bideford to the same effect. Whereupon their Lordships finding no reason to alter their former resolution as to a Governor agree to proceed further towards preparing rules and provisions in that behalf. [*Col. Entry Bk., Vol. CVI., pp.* 209–211.]

[Oct. 11.] **1537.** Petition of sundry inhabitants of the Narragansett country to the King. Petitioners enumerate the disputes between Connecticut and Rhode Island regarding the government of the province. In answer to the King's commands had instructed the Agent sent by Connecticut in a rude and hasty address, but the person and papers thus designed are carried to Algiers. Are so impoverished by the Indian war and the intrusions and disturbances of Rhode Island, that they cannot contribute to the collection of new evidence, and the colony having been long blasted by the evil influences of Rhode Island, pray that John Lewin and Thomas Deane may be admitted to spread before His Majesty such petitions, &c., as they may be furnished with, and that confirmation of their propriety be granted to them, or, if it should so seem expedient, a Charter of Incorporation be granted to them, and that a commission be given

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to the Governor of Plymouth and others to constitute a court of claims to hear and determine all titles in controversy. *Signed*, Richd. Smith, Simon Lynde, John Winthrop, Wait. Winthrop, William Tailer, Richd. Wharton, John Saffin, Elisha Hutchinson, Joshua Lamb. *Endorsed*, Recd. from Mr. Lewin, 11 Oct. 1680. Read 12th April 1681. [*Col. Papers, Vol. XLVI., No.* 19.]

Oct. 12. **1538.** Journal of Lords of Trade and Plantations. Lord Carlisle acquaints their Lordships that the present Revenue Act for Jamaica will expire in March next, and that the Government will be greatly embarrassed unless the King grant leave to Sir Henry Morgan to pass a temporary Bill, and to that end cancels the Order in Council of 14th January last. His Lordship gave an account of his endeavours to persuade the Assembly to pass the Revenue Bill which was sent out from England, giving an account of his arguments against the Assembly's objections. He said also that he had set licences for taverns on foot before he passed any Bill of Revenue. Their Lordships resolve to meet again in this business; Colonel Long and the other Assembly men of Jamaica to attend.

Draft of new instruction to Sir R. Dutton respecting the substitution of another impost in lieu of the 4½ per cent. read and approved. [*Col. Entry Bk., Vol. CVI., pp.* 212, 213.]

[Oct.] [Montserrat.] **1539.** Three Acts passed in the island of Montserrat, viz., An Act imposing a duty of powder on all the growth or manufacture of sugar, tobacco, or indigo transported from this island, 29th March 1680. An Act restraining the assignment of bonds and bills without consent of parties and session two several times in the year, no jury to be under one thousand pounds of sugar, 12th October 1680. An Act for the making restitution for cattle stolen by negroes and licenses for tap houses in town and country, 12th October 1680. [*Col. Entry Bk., Vol. L., pp.* 239–245, *also printed in Vol. LV., pp.* 35–37.]

Oct. 14. **1540.** Journal of Lords of Trade and Plantations. Lord Carlisle produces an entry from the Jamaica Council book of a law passed by Colonel Doyley and the Council for Public Revenue, and of a similar law passed by Sir Charles Littleton and Council, both of which were indefinite. After which Colonel Long and Mr. Ashurst are called in and asked to state their objections to a perpetual Bill of Revenue. They answer that they have no other way of making their grievances known to the King than by the dependence of the Governor in the Assembly. If a perpetual Bill were passed there would be no need to summon Assemblies, to which my Lord Carlisle replies that the necessities and contingencies of the Government are such that the Assembly must needs be called frequently, even though the Bill for impost on liquors were perpetual. Their Lordships inform Colonel Long that if the Assembly pass the Revenue Act indefinitely the King may be induced to settle other perpetual laws which they shall propose as beneficial to them. The gentlemen from Jamaica being withdrawn their Lordships debate concerning

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the continuance of the two laws made by Colo
Charles Littleton; and it is alleged, with respe
England, that they cannot be in force in another
constitution differs from that of England. Agre
Justice North two questions. (1.) Whether the
clamation published during Lord Windsor's gove
of 15th January 1672–73, or any other Act appe
of England, or of Jamaica, or by any commissio
his Governors, has divested himself of the powe
to alter the forms of government in Jamaica?
Act of the Assembly of Jamaica or any other Ac
of his Governors have totally repealed the Act
Doyley and Sir Charles Littleton for raising
whether they are still in force? *Mem.*—The
Lord Chief Justice North was added to the
Vaughan summoned to attend next meeting.
Vol. CVI., pp. 214–16.]

Oct. 14. Whitehall. **1541.** Lords of Trade and Plantations t
Culpeper. We have received your letters of 2nd
with copies of the laws. We have disapprov
proviso in the Public Revenue Act exemptin
from the payments under the Act, for we e
irregular but inequitable, that ships owned
receive more encouragement than those of oth
subjects. The Act would be frustrated if Virgi
monopolise the Virginian carrying trade. The
disallowed the proviso. The King has also ord
jointly with their Councils, to keep a journal w
home quarterly, and the Secretaries and Cler
report likewise. Also, in order to an inspection
Colonies, you will report which should be in th
in the Governor's gift. You will fill up all pl
merit only and not for gain. You will also
minister be a member of his parish vestry, a
without him. 4½ *pp.* [*Col. Entry Bk.*,
388–392.]

Oct. 14. Whitehall. **1542.** Order of the King in Council conf
raising a public revenue for the better suppo
Colony of Virginia passed by the Assembly
disallowing a proviso in said Act whereby the
freed from paying the duties imposed by the Ac
No. LXXX., pp. 392–394.]

[Oct. 15.] **1543.** Copy of three warrants issued by Si
to the Provost-Marshal of Nevis on complaint o
Royal African Company to search for negroes i
lopers. *Dated* 30th June, 29th August, and 1
Certified by the Provost Marshal, Cæsar Roden
Endorsed, Recd. 15 Oct. 1680. [*Col. Papers,*

1680.
Oct. 16. **1544.** Sir J. Werden to William Blathwayt. Since our previous correspondence respecting Mr. William Penn's petition he has represented to the Duke [of York] his case and circumstances (in relation to the reasons he has to expect the King's favour therein) to be such that the Duke commands me to acquaint you, for the information of the Lords of Trade and Plantations, that he is very willing that Mr. Penn's request may meet with success, that is, that he may have a grant of the land that lies on the north of Newcastle Colony and on the west side of Delaware River, beginning at about the 40th degree of latitude, and extending as far as the King pleaseth, under such regulations as their Lordships may think fit. *Holograph. Endorsed*, Read, 21 October: read again 4 Nov. 1680. 1 *p.* [*Col. Papers, Vol. XLVI., No.* 21.]

[Oct 16.] **1545.** List of all ships that have laden any of the enumerated plantation commodities in the Island of Barbadoes from 16th April to 16th October 1680, with names of the masters. *Signed by* Sir Jonathan Atkins, and Abraham Langford, Clerk of the Naval Office. [*Col. Entry Bk., Vol. X., No.* 3.]

Oct. 18. **1546.** Journal of Lords of Trade and Plantations. Chief Justice North undertakes to return his answer upon the first question submitted to him (*see No.* 1540) at the next meeting, and is desired to take other of the Judges to assist him. [*Col Entry Bk., Vol. CVI., p.* 217.]

Oct. 19. **1547.** President Danforth's letter to the Magistrates of Maine. Orders them, on Mr. Randolph exhibiting his libel against one Mr. Nicholls, master of a ketch, for breach of the Acts of Trade, and laying down 10*l.*, to appoint a time for a special court, and to order the Secretary to give notice to the magistrates and send warrants for summoning a jury to the constables of York, Kittery, and Wells. The jury to be allowed 4*s.* a day for expenses, and the magistrates and other officers according as the charge shall arise; what remains of the 10*l.* to be delivered back to Mr. Randolph. *Endorsed*, Tho. Danforth's esq's. letter to ye Magts. of ye Province of Maine to pay £10 to Mr. Rushworth. *Copy.* 1 *p.* [*Col. Papers, Vol. XLVI., No.* 22.]

Oct. 19 and 20. **1548.** Minutes of Council of Barbadoes. Bill sent up from the Assembly for the continuance of certain expiry laws passed; eight orders for payment of gunners and mattrosses passed. [*Col. Entry Bk., Vol. XI., p.* 325.]

Oct. 19. **1549.** Journal of Assembly of Barbadoes. Bill to continue the Act appointing a Committee of public accounts passed; letter from Sir Peter Colleton and Colonel Drax read. Orders, that William Sharpe draw up an answer against to-morrow morning.

Oct. 20. Answer to Sir Peter Colleton and Colonel Drax read. Ordered, that it be signed by the Speaker and dispatched. Voted, that the question of making a present to His Excellency stand over to next Assembly. Several orders to pay for materials for the fortifications

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passed. The Assembly expiring this day ordered be committed to the care of the Speaker till nex *Entry Bk., Vol. XIII., pp.* 400–404.]

Oct. 20. **1550.** Journal of Lords of Trade and Pla Justice North's opinion respecting the first quest read, Colonel Long, Mr. Beeston, Mr. Ashurst, a being present. His Lordship's conclusion is Revenue made by Sir Charles Littleton in 166 Colonel Long objects that, by a law made in Sir T time, all laws passed by Sir Charles Littleton are want of due form; whereupon he and those wit to withdraw. Ordered, that the objection be Chief Justice North, and that the gentlemen of J to be ready with their objections at the nex *Entry Bk. Vol. CVI., pp.* 218, 219.]

[Oct. 20.] **1551.** [William Blathwayt?] to Lord Chie Pursuant to your instructions I acquaint you w of the Jamaica planters to your report. (1.) law made by the Assembly in 1663 is not in fo law made by Sir Thomas Modyford which declare by that Assembly to be void. (2.) They say tha Sir Charles Littleton's Assembly is void becau whose deputy he was, had power by an i assemblies and make laws which were to be i and no longer unless confirmed by the King. neither the law made by Sir Charles Littleton an the other made by Colonel Doyley and his Co force, since they had no express powers to m Councils, and that they, as Englishmen, ought no any laws to which they have not given their co of Trade and Plantations have appointed them to the afternoon, and desire your Lordship to be pr *corrections. Endorsed* with date 1680, and erased with the pen. 1 *p.* [*Col. Papers, Vol. A*

Oct. 21. **1552.** Journal of Lords of Trade and Plantati of Jamaica. The King's proclamation in Lo read, whereon two questions arise. (1.) Were t by Colonel Doyley and Sir C. Littleton perpetu if they were perpetual, they have been annul laws and proclamations? The gentlemen of divers objections against the validity of these l Mr. Beeston, and Mr. Ashurst are directed to Justice North to explain their chief wants to may be induced to pass an Act for Revenue, to t may be brought to an accommodation. [*Col. En pp.* 219, 220.]

Oct. 22. **1553.** Lords of Trade and Plantations to Gov Atkins. With reference to your report of 3rd

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No. 914) respecting the ship Asia, we have, on the application of an agent of the Dutch West India Company, considered the demand of charges made by you, and could have wished that you had so specified the same as to enable us to make our award without further delay. You will, however, on your return home bring with you the 300*l.* which are the proceeds of the sale of the ship, and a particular account of the expenses incurred by you for the care and salvage thereof, that we may determine how much should be deducted from the 300*l.* on that account. *Signed*, Anglesey, Radnor, Worcester. 1 *p.* [*Col. Entry Bk., Vol. VII., pp.* 23, 24.]

[Oct. 22.] **1554.** Lords of Trade and Plantations to the King. We have prepared draft commission and instructions for Sir Richard Dutton pursuant to your Majesty's order of 31st July, and we recommend further the insertion of a clause making void all patents of offices, except those of the Secretary and Marshal, unless the patentee shall reside in the Island, and that no more places be granted under the great seal, except those that are already granted, but be left to the disposal of the Governor. 1 *p.* [*Col. Entry Bk., Vol. VII., pp.* 24, 25.]

Oct. 22. **1555.** Commission to Sir Richard Dutton to be Governor of Barbadoes and Governor-in-Chief of Barbadoes, St. Lucia, St. Vincent, Dominica, and the rest of the English Islands to windward of Guadaloupe. *The only reference to the last three Islands is a clause empowering him to choose a council of twelve members from the principal freeholders therein.* 12 *pp.* [*Col. Entry Bk., Vol. VII., pp.* 25, 37.]

Oct. 23. Nevis. **1556.** Governor Sir William Stapleton to [Lord Sunderland?]. I have received your command from Windsor in favour of Mr. Plott. I do not wish him to need my assistance, but shall be glad to do any service to one bearing your recommendation. His agent is in quiet possession of his right without further disturbance than that which the Vice-Admiral of France, who is at Martinique, gives us in watching and trenching. You will excuse me if I give no particular account of his promenade as you have it already in my last letters. *Holograph.* 1 *p.* [*Col. Papers, Vol. XLVI., No.* 24.]

Oct. 26. Nevis. **1557.** Governor Sir William Stapleton to Lords of Trade and Plantations. My humble thanks for the ten barrels of powder to replace the six given to the Deptford ketch. I hear she is to be sent out again, and beseech you to prevent it, for as I have told you she is of no credit or profit in a place where the French show their master's grandeur by a considerable fleet. If I might make bold I would suggest that all the ships that are sent to Barbadoes, Jamaica, and the Leeward Islands, together, should attend the King's service wherever the French fleet are nearest, for three good frigates with merchantmen may not only offend but defend (*sic*) with the strength of the Islands transported to any point that is attacked. At any rate, they will do better service united than

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dispersed, while, if necessary, they can be ordered
stations. *Vis enim unita fortior est se ipsâ dis*
you to order the payment of my arrears in Si
regiment. I am ashamed to mention it so ofte
any desert in a subject for doing his duty I n
vanity, that I deserve that pay as much as
dangerously wounded and taken prisoner after sev
in ascending a cliff at the ill-managed descent upon
where, if I may modestly say so, I was no w
imitating Anthonius Primus, though not in beat
he did four legions of the Emperor, nor in ru
(who dropped my colours and went woundless ab
body. I took up the colours by the half pike a
Chevalier St. Laurens. The pike was broken,
in the hand, but I snatched the silk from one w
seize on it. The French story of the war menti
the ensign and the breaking of Colonel Stapleton'
not broken till two hours after. I humbly pra
this little vain digression, which is only given t
obtain for me my arrears, due almost these doz
long since stated, short of my due and contingent
my last of 15th instant, I learn that Count d'Es
at Martinique pending fresh orders from France,
contracted friendship with the Spanish govern
St. Domingo, the design in that quarter is
therefore have no object in this American prome
their frequent voyages to these parts) but the E
since the ratification of the treaty of neutrality
by Count de Blenac and myself, is denied by th
though they first proposed it, and by alleging de
obliged me to give supernumerary hostages.
commands respecting the office created and granted
shall be obeyed. *Inscribed*, Recd. 11 Feb. 1
2 *pp.* [*Col. Papers, Vol. XLVI., No.* 25, *and C*
XLVI., pp. 452–454.]

Oct. 26. Barbadoes. **1558.** Governor Sir Jonathan Atkins to Lo
Plantations. Your letter of 6th July last reache
14th instant. I have since sent by Captain F
island such as I could get, with the rest of the Ac
those that were not passed by the Council. Th
few that I may say to you what I have read was
Elizabeth's time, when, there being a Parliament
Lord Popham (who was of it) what the Parliame
answer was, they have sat seven weeks, and I m
our Assembly, they have sat a twelvemonth.
great difference between this Assembly and the P
As to your frequent instances for the laws to be s
of none that I could procure which I have omitte
you will not think me guilty of so much weakne
the insurrection of the negroes and other circum

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for not transmitting the laws. They were rather reasons why the Assembly did not meet so frequently as before. As a rule they do not meet above once a month, nor sit for more than a day, and I thought it inconvenient to send the laws until there was a considerable number to be sent together. As to my mention of Virginia and Sir George Ayscough, I thought it not amiss to let you know in what condition the Governor stands when the King has no force of his own, and all depends on the people. Not that I distrust the people in general, though some of them are factious enough. If I have been mistaken in the circumstances of time of sending the laws I hope your Lordships will repair it, for it was not wilfully done. I beg your pardon for it and promise amendment. I know of no Act for the King's revenue except that for the 4½ per cent. which was sent to you long ago. I beg your pardon for repeating what I have so often said before, that the people here will not obey an Act that is not in being. The Militia Act was near expiration; many things in the former Act needed reform, but that Act being a very long one the amendments could not be speedily effected. The Assembly therefore renewed the former Act and continued it for a short time only, in order that the new Act might be presented to His Majesty in a state fit for long continuance. The account of the Militia to which you refer was sent you soon after my arrival. I had only taken up the government in the previous November, and until I had more time to enquire into the matter I was forced to accept the computation of the President and Council, which was based, I conceive, on the Militia Act, whereby owners of land are bound to provide for so many acres a horseman and for so many acres a footman; adding to the men thus raised the number of others obliged to bear arms, the total would amount to very near the numbers given. But there have certainly been great changes in the past six years. Firstly, numbers of people go from here to Carolina, Jamaica, and the Leeward Islands, in the hope of getting land which they cannot get here. Again, fresh supplies of men do not come to us; the few that do come are bound for at most five years, and when their time expires they seek a fortune elsewhere. Again, since people have found out the convenience and cheapness of slave labour they no longer keep white men, who used to do all the work on the plantations. Moreover, as I have explained, white servants do not come here, though for their own safety the planters would willingly embrace them. Further, it has pleased Providence to send a great mortality among us these two years past which hath swept away many of our people and our slaves. We have lost six members of Council, four Colonels, two Lieutenant-Colonels, and many considerable officers of the Militia, so that it is small wonder if the Militia be abated. Besides there is a considerable number of Anabaptists, Quakers, and other dissenters who have got considerable estates, and will neither serve themselves, nor send their servants as the law requires. This has occasioned some strictness in law for the Militia extraordinary, but these people are under no severer penalties than the best of the King's subjects. I did not include the lifeguard in my last account of the Militia. It

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is a thing uncertain, sometimes they are fifty, sometimes a hundred strong, according as th tradesmen that compose it come and go. Again, overseers, and many other servants of that kind the Act from attendance at public musters, thoug to serve in case of alarm for the general defence would make one of our best regiments. So als assistants and servants, all clerks and officers of the Peace and their servants, lawyers attendin officers in Commission of the Militia are allowed They never attend public musters though they a with horse and arms upon all alarms. Considerin your Lordships will I hope see that the presen really fall so far short of the former computation.

As to the general account of the population was given by the Council to me; but my las thought, according to your orders. I conceived give you a better return than that made by t who went through every parish and certifie inhabitants. It is an invincible difficulty to fu with the numbers of all in the Island, men, wo So nearly as we can calculate they may am number formerly given to you. The list of shi you as it was given to me out of the Naval Of reason, and would not dare, to give me a false that account fell out at a time when few ships carefully observe the time of the crop, and the cr and short of expectation, most of the sugar has since. The enclosed further account of wha shipped off may give you further satisfactio imports is also enclosed. As to exports neither can think of any way to satisfy your Lordships in the office of the 4½ per cent. duty, which must fallible one, as my Council will certify to you.

As to the confirmation of Colonel Drax and to act on behalf of the Island, not long bef resolved to go to England the Assembly presen Council an order for thirty butts of sugar to b Peter Colleton for the payment of any extra incurred by their service for the benefit of the agreed to. Shortly after a paper was present containing instructions for Colonel Drax. O rejected except the two first. One of the latter w endeavour to procure a commutation of the 4 according to a clause in the last lease. Upon made to me that the manner of collecting th troublesome to them, when the term was to b the Assembly that now was a fit time, if they th to the good of the country, to propound and Of this they took no notice. But suddenly, wh was resolved upon his journey, they promised

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much might be done in these and other imaginary things, wherewith they pleased themselves and gave instructions accordingly; but I told them they had mistaken their business, and that was all the approbation I gave to that affair. The second instruction was to endeavour to overthrow the patent of the Guinea Company, and to that I told them I could not join with them, for that I acted daily by the King's patent, and in that particular by both his patent and express orders as well as your Lordships'. But their hopes went high. I told them that if they offered me anything to the good of the country, I was very ready to join with them, and in that particular had never failed them. Some overtures have been made by Colonel Drax and Sir Peter Colleton in the matter of the 4½ per cent., but with little encouragement for their success. They sent a letter to the Assembly saying how serviceable they had been to the country by saving them from being put under the Irish system of Government, from the grant of power to the Governor to make and displace Councillors, and from some other small things which when well inquired into cannot prove to be of much advantage to them. For this the Assembly wrote them a letter of thanks with a number of new instructions which was at last presented to the Council, which unanimously rejected it as factious, as not for the good of the country, and as encroaching on the royal prerogative. Hereby they refused to allow any such authority to be given to these gentlemen, and suspended the power (if any) that was given to them before. I respect the two gentlemen themselves, but I am afraid that they take wrong measures, though they mean well. A copy of the intended letter to them was sent to Mr. Secretary Coventry, and I now send a duplicate. As to the filling of the vacancy in the Council, Mr. Francis Bond is an ingenious young man, but most of his fortune depends on the life of a widow whom he hath married here; whereas Mr. Alexander Ruddock is a solid man, hath a good estate, and is free from debt. I therefore conceive Mr. Ruddock to be the fittest man. There was no vacancy in the Council till now, by the death of Colonel John Standfast, who died very lately. There was a vacancy, but Captain Thomas Walrond, by what procurement I cannot tell, obtained a Privy Seal to be one of the Council, and was accordingly sworn. By my commission I have power when the Council falls below nine in number to appoint a member, subject to the King's confirmation, and I accordingly appointed Mr. Benjamin Knight, a man without exception, both for estate, credit, and prudence. I beg His Majesty's confirmation of this appointment. *Endorsed*, Recd. 11 Feb. 1680/81. *Read*, 10 March 1680/81. 7 *closely written pages.* [*Col. Papers, Vol. XLVI., No.* 26, *and Col. Entry Bk., Vol. VII., pp.* 89–101.]

Oct. 27. **1559.** Journal of Lords of Trade and Plantations. Chief Justice North reports that the gentlemen of Jamaica are prepared to grant the King a perpetual Bill for the payment of the Governor, and another Bill for the payment of contingencies, for seven years. Provided that they be restored to their ancient form

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of passing laws, and may be assured of such of th
as concern their liberty and property. Ordered
Morgan be directed to pass a temporary Bill f
Jamaica, with consent of the Assembly, or in case
the method pursued by former Governors. On re
of the inhabitants of Jamaica to be restored
method of making laws, ordered that their L
die in diem till the question be settled.
Vol. CVI., pp. 220, 221.]

Oct. 27. **1560.** Petition of planters, traders, &c., of Jam
The Island was in a most flourishing state un
altered the Government by your commission to L
which time a fatal stop hath been to its prosperi
inhabitants have withdrawn their estates and
Island, and more will do so unless your Majesty b
upon them with favour. The Council and Assem
pleaded for return to the ancient form of Gov
likewise the prayer of the petitioners. *Eigh
including those of Samuel Long and William Be*
Read in Council Oct. 27, in Committee Oct.
Papers, Vol. XLVI., No. 27, *and Col. Entry*
pp. 442, 443.]

Oct. 28. **1561.** Journal of Lords of Trade and Plantat
sideration of divers documents their Lordships
present method of making laws in Barbadoes,
Sir R. Dutton's Commission, be applied to Jama
Assembly may be more readily induced to grant
Lordships think that the King's quit-rents and
licenses, as well as all existing levies, should be a
to the support of the Government. [*Col. Entr*
pp. 222, 223.]

Oct. 30. **1562.** Journal of Lords of Trade and Plan
Long and the other gentlemen of Jamaica called
with the Lords' resolution to recommend for them
of making laws as in Barbadoes, with whi
themselves very well satisfied. [*Col. Entry*
p. 223.]

Oct. 30. **1563.** Instructions to Sir Richard Dutton, Gover
He is empowered to permit the 4½ per cent. duty
for some equivalent impost; ordered to enfor
London's recommendations (*ante, No.* 1488) to
a law to prevent inhumanity of masters to their
and to find out the best means for the conversio
all 48 *clauses.* [*Col. Entry Bk., Vol. VII., pp.* 37-

Oct. **1564.** Petition of the General Assembly of M
Were necessitated owing to the failure of those
who was the chief lord proprietor, and by

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turbulent spirits and the rage of heathen natives, to crave the succour of the Massachusetts Government, who did not spare blood or treasure in their defence, having furnished supplies of clothing, ammunition, provision and money to the amount of 7,000*l.*, and have never taken one penny tax either in peace or war except what was to be distributed among the inhabitants of the province. The Massachusetts Government being owners by a late purchase from the heirs of Sir Ferdinand Gorges, His Majesty's Lieutenant and their chief lord proprietor, and having notified the oath of allegiance to them, none refusing to accept it except Quakers and some with them, and having settled a Government according to Gorges' charter, petitioners pray that the accusations and suggestions of any representing sinisterly their estate and condition may not prevail to bring on further alterations. *Signed by* 16 *burgesses.* 1 *p.* [*Col. Papers, Vol. XLVI., No.* 28.]

[Oct. ?] **1565.** Report to the Committee about Mr. Penn's boundaries [by William Blathwayt?]. I have examined Mr. Penn's petition for the grant of a tract of land in America and the patent of New York granted to His Royal Highness [the Duke of York], and find that the latter is sufficiently distinguished from the grant desired by Mr. Penn. But I am further to offer to your Lordships that there are several Dutch and Swedish plantations which have been long under the English Government, that lie scattered on the westward of Delaware river, some of them perhaps within the bounds of Mr. Penn's petition, and have for a long time either acknowledged the protection of the Duke of York or of Lord Baltimore, near whose borders they are settled. *Draft*, with correction in Blathwayt's hand. *Endorsed* as above. 1½ *pp.* [*Col. Papers, Vol. XLVI., No.* 29.]

Nov. 1. **1566.** Journal of Lords of Trade and Plantations. Mr. Penn's petition read, asking that a day may be appointed for preparing the grant to him of the land that he desires in America.

Colonel Long and the other gentlemen of Jamaica attend and are asked whether, in consideration of the King's restoring to them a deliberative voice and appropriating the quit-rents and the rest of the revenue to the Government, they will be prepared to vote the King a perpetual revenue. They answer that they do not believe the Assembly will grant the revenue for longer than seven years, but may grant the Governor's salary perpetual and the rest for seven years. The gentlemen being withdrawn, the Lords agree after debate to instruct the Governor to endeavour to pass the Revenue Bill perpetual, but, failing perpetuity, to pass it for the longest term that he can, not under seven years. The Bill for public Revenue passed under the Great Seal, read, and amended. [*Col. Entry Bk., Vol. CVI., pp.* 224, 225.]

Nov. 1. Council Chamber. **1567.** [William Blathwayt] to Lord Chief Justice North. The Lords of Trade and Plantations have this day perused an Act transmitted from Jamaica, wherein several clauses contain reference to the laws now made or hereafter to be made in England, and,

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finding the same to be of great consequence to Jamaica, have referred the whole Act here Lordship's consideration and opinion, and in pa that part which mentions the Courts of Justic statutes of England. Their Lordships the presence to-morrow at four o'clock in the after [*Col. Papers, Vol. XLVI., No.* 30.]

Nov. 2. **1568.** Journal of Lords of Trade and Planta Jamaica. The Bills transmitted by Lord C Militia Bill amended with the consent of the so as to save the Governor's authority as C The Bills for regulating justice, ministers, a amended. [*Col. Entry Bk., Vol. CVI., p.* 225–2

Nov. 3. Whitehall. **1569.** Order of the King in Council, to esta economies in Jamaica. The two companies of disbanded. The salaries of the Governor, De Lieutenant-General, at present paid out of the to be retrenched. The allowance of 600*l.* for m to be discontinued. The grant of escheats, fines the Earl of Carlisle to cease. [*Col. Entry p.* 441.]

Nov. 3. Whitehall. **1570.** Powers given to the Earl of Carlisle Jamaica. To call assemblies after the manne practice, and for such assemblies to make laws v consent of the Governor and Council; such laws far as may be, with the laws of England, and e be transmitted to England within three mo reserves the right of disallowing laws and give power of veto. 4 *pp.* [*Col. Entry Bk., Vol.* 447.]

Nov. 3. Whitehall. **1571.** Royal Instructions to Lord Carlisle, Go You will cause the Assembly to be summoned a to be announced to them. You will then endea passing of a Revenue Bill in such terms as will according to the draft herewith delivered to permit no material variations to be made fro better to induce them you will announce that no but also the quit-rents shall be devoted to t Other Bills will also be given to you to propos your Council. You will send home authentic passed in Jamaica, under pain of our high d forfeiture of a year's salary. You will suffer n be issued but by your warrant, but the A permitted to examine the accounts from time for the future must, unless made for a temporary and no law once enacted shall be re-enacted exc occasions and with our express consent. You sh or forfeitures above the value of 10*l.* without

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matter to the Commissioners of the Treasury, but you may in the meantime suspend payment of the fine. You will assent to no law whereby the revenue may be lessened without our special leave. The style of enacting laws is to be "by Governor, Council, and Assembly," and no other. And since by former laws the parishes of Jamaica have been so bounded as to encroach on the rights of the Admiralty, you are to take care that a clause saving the Admiralty's rights be inserted into such Acts in future. You will assent to no law which exempts Jamaican shipping from the impositions paid by shipping from the rest of our dominions; and you will pass a law for the suppression of privateers. In all other respects our commission and instructions of 1st March 1678 are to hold good. [*Col. Entry Bk., Vol. XXIX., pp.* 447–453.]

Nov. 3. **1572.** Private Instructions to Governor Lord Carlisle. If you cannot secure the passing of a Revenue Act in perpetuity you are to obtain it for as long a term as you can, not less in any case than seven years. The salaries of the Governor, Deputy-Governor, and Major-General are not to be specified in this Act. Among the Acts given to you is one for the establishment of Courts of Justice and another for prevention of law-suits, but you are not to gratify the Assembly by passing these or any Acts like them if they refuse to pass the Public Revenue Bill for at least seven years, and without lessening the revenue. You will in convenient time insinuate these directions to some members of Assembly to the end that they may comply with our just expectations in regard to the revenue. 2 *pp.* [*Col. Entry Bk., Vol. XXIX., pp.* 453, 454 *and Col. Papers, Vol. XLVI., No.* 31.]

Nov. 8. Whitehall. Plantations General. **1573.** Order of the King in Council. That no Governor or Commander-in-Chief of His Majesty's plantations presume henceforward upon any pretence whatsoever to come into England from the places of their respective Governments, without first having obtained leave for so doing from His Majesty in Council; His Majesty hereby declaring that his verbal leave or other permission whatsoever, except such leave in Council, shall not be esteemed a sufficient warrant for the same. And all Governors and Commanders-in-Chief are to conform themselves hereunto upon pain of His Majesty's highest displeasure. [*Col. Entry Bk., Vol. XCVII., pp.* 82, 83.]

Nov. 4. **1574.** Journal of Lords of Trade and Plantations. Sir John Werden's letter of 16th October (*see No.* 1544), respecting Mr. Penn's petition read. A draft Patent submitted by Mr. Penn ordered to be shown to Lord Baltimore's agents and the Attorney-General.

The gentlemen of Jamaica and the Royal African Company called in. A letter from the Council of St. Christophers of 12th July, complaining of the Company, read. A paper on the negro trade is also presented by the gentlemen of Jamaica. The Company declares that in Jamaica 60,000*l.* is already owing them for negroes,

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and that upon the arrival of the negro ships ther
more. The negroes cost them at first price 5*l*
freight, besides the loss of 25 per cent. by the us
a charge of 20,000*l*. a year for maintaining of
they are ready to enter into security with t
satisfaction of the planters to make good their fo
if the planters on their part will perform the
planters still complaining of the excessive pric
praying that a reasonable rate be fixed, their L
Company to meet and bring their answer to th
can afford their negroes at Jamaica at 18*l*. a head.
Vol. CVI., pp. 228–231.]

[Nov. 4] **1575.** Paper from the Planters of Jamaic
Trade and Plantations. The Lords have made
the well settling of Jamaica, and it is therefo
noting of what is yet wanting will be favourab
wants seem to be—(1.) An assurance to conti
now settled. (2.) Discouraging privateers and p
lation of the negro trade. 1. As nothing tends
planters to a colony, and re-assure the old, thar
and the certainty of its continuance, it is hope
be inserted in the intended perpetual Revenue
Jamaica shall always be governed under such la
through His Majesty's authority and consent of
and Assembly, not repugnant to the law of
Commander-in-Chief in the Island should be or
to the Assembly the effectual suppression of
not only the pirates but their abettors and
magistrates not doing their duty. The Islan
deserted and weakened of late that it will dou
but if it be only recommended to the Governo
meet with any effect. If frigates be the
recommend third-rates, less not being able t
pirates nor follow them into creeks or hole
wreck, pirates having the advantage of being
pilots. 3. The inhabitants beg that the foun
may be kept, which they conceive was that
Company would improve the trade by full
moderate rates. As to quantity, it is suppos
thousand [negroes] would sell, and every yea
to price, 16*l*. or 17*l*. a head for lots in
negroes, at six months' credit, which rate th
reason find fault with, since many affirm that
Company above half that price, and others
furnish fully at 14*l*. a head. If the C
the Island has always had more than it co
truly answered that the Company ruin th
selling at such rates and taking 20 per cent. th
15 per cent. after, so that it is hard for th
pay; and it is well for the Company, if ever

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is in their debt; and the Islanders are under no great obligation to the Company for biting and devouring them by such unreasonable and unconscionable dealing. The Company also puts the King to great expense for frigates to protect their trade to the ruin of his customs, trade and navigation, seeing that each negro at work in the colonies produces to His Majesty ten shillings (and most say fifteen shillings) per annum custom, or else his master cannot be enabled to pay for him. Governors and captains of ships also are under many difficulties, law-suits, &c., in obeying orders in favour of the Company. Wherefore it is hoped that His Majesty will regulate the negro trade, and instead of giving the Commander-in-Chief instruction in favour of the Company, will order him not to suffer them out of revenge for discovering their abuses to King kingdom and colonies, to ruin the planters by hasty calling in of their debts seeing that they receive so great interest for forbearance and have hitherto been too hard for other interests. 1½ *pp. Unsigned. Inscribed,* Read 4 Nov. 1680. [*Col. Papers, Vol. XLVI., No.* 32, *and Col. Entry Bk., Vol. XXIX., pp.* 477–479, *and Royal African Company, p.* 81.]

Nov. 5. Port Royal. **1576.** Minutes of the Council of Jamaica. Present: Sir Henry Morgan, Lieutenant-Governor, and thirteen members. The King's Order in Council of 21st July for the discharge of Francis Mingham from prison was read; and in obedience thereto the said Francis Mingham was sent for by Sir Henry Morgan and discharged. Francis Hanson, counsel to Mingham, averred to the Council that the article in Mingham's printed case alleging a writ of error to be denied him was most false, for no writ of error was to his knowledge demanded. Major Yeoman, Provost-Marshal, made oath that Francis Mingham was arrested in an action upon judgment, and that he received no orders from Sir Henry Morgan as to Mingham's arrest and confinement. The gaol was too weak to allow Mingham the chance of escaping in his own pink. John Starr, clerk to the Provost-Marshal, made oath that Mingham was not charged with Sir Henry Morgan's execution until many days after the fourteen days mentioned in the printed case. Robert Staley, gaoler, swore that he received no order from Sir Henry Morgan as to the confinement of Mingham, and Harry Sound, another gaoler, confirmed it. Francis Mingham owned that he was kindly treated in prison and admitted that it was not true, as stated in the printed case, that he had been charged 16*l.* to build him a prison. By all of which circumstances and others too tedious for the Lords of Trade and Plantations the Council is well satisfied that Francis Mingham's troubles in Jamaica were due more to his own imprudence and malicious desire for revenge than to any purpose of Sir Henry Morgan to oppress him. *Copy, certified by* Rowland Powell, Clerk of the Council. [*Col. Papers, Vol. XLVI., No.* 33.]

Nov. 6. Port Royal. **1577.** The Council of Jamaica to Lords of Trade and Plantations. In obedience to your Lordships' orders to inform you every six

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months of what we may think for the good of the Colony, we write to inform you that in obedience to the King's Order in Council we have released Francis Mingham from prison. And herein we find occasion to represent with all humility the many great inconveniences that will attend the prosecution of justice in this Island if this case should be drawn into precedent, or if writs of error or habeas corpus out of the King's Bench in England be allowed to remove any debtor in execution from this place thither, as in this case has been practised. For it must needs tend to the defeating of justice here and discouragement of trade (on which things the welfare of the Island depends), especially since it is not difficult at so great a distance to allege very fair and specious pretences which upon proof may appear to be clearly untrue. We therefore beg your Lordships to represent the foregoing to His Majesty in Council. *Signed*, Rob. Byndloss, Hder. Molesworth, John Webbe, F. Watson, Jo. Cope, Tho. Freeman, Charles Whitfeld, J. Fuller, Tho. Ballard. *Inscribed*, Recd. 15 Feb. 1680–81. 1½ *pp.* [*Col. Papers, Vol. XLVI., No.* 34.]

Nov. 6. **1578.** Duplicate of the foregoing. Copy certified by Rowland Powell and inscribed "Recd. 6 Feb. 1680–81." [*Col. Papers, Vol. XLVI., No.* 35.]

Nov. 6. St. James'. **1579.** Sir John Werden to Sir E. Andros. Gives him notice of the Duke's release of both moieties of New Jersey with all his rights. ½ *p.* [*Col. Entry Bk., Vol. LXX., p.* 34.]

Nov. 8. Council Chamber. Plantations General. **1580.** [William Blathwayt] to the Attorney-General. Referring to him the draft of the grant to William Penn for his examination and report. *Draft.* 1 *p.* [*Col. Papers, Vol. XLVI., No.* 36.]

Nov. 8. **1581.** Deposition of Sir Charles Modyford, Bart., taken before Sir Francis Watson, a Judge of the Supreme Court of Jamaica. After the arrival of Francis Mingham in the pink Francis, from Jamaica, in the port of London, it was found on his delivering his accounts to his owners that there were several articles charged to their debt upon account of a seizure made of the said pink in Jamaica. Thereupon questions arose whether the seizure was legal or illegal. The majority of the owners, whereof deponent is one, thought it was legal, and therewith declined to be further concerned with Mingham's charges on this account, but out of pity gave him a bill of exchange for 100*l.* Further, when deponent arrived in Jamaica he moved Sir Henry Morgan on behalf of Mingham, when Sir Henry frankly promised him that if Mingham would pay his costs in the affair and in acknowledgment of the injury he had done him would present his lady with such a coach and horses as deponent might think fit, then he would fully acquit and forgive him of his execution of 2,000*l.*; which offer was duly made to Francis Mingham and refused. *Copy. Certified by* Rowland Powell. *Inscribed*, Read 12 April 1681. [*Col. Papers, Vol. XLVI. No.* 37.]

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[Nov. 8.] **1582.** An account of the ships that came to St. Christophers from 30th May 1677 to 20th August 1680. 84 vessels in all with a total burden of 1,738 tons. Annexed are copies of bonds and certificates. *Five large sheets in all. Endorsed*, Recd. 8 Nov. 1680, per Colonel John Thornburgh. [*Col. Papers, Vol. XLVI., No.* 38.]

Nov. 11. **1583.** Journal of Lords of Trade and Plantations. Sir Benjamin Newland, with several other members of the Royal African Company, and divers merchants and planters of Jamaica, are called in. Both sides having been heard, and the Company having declared itself ready to accept His Majesty's directions for regulating the negro trade, their Lordships agree to advise the King to order as follows:—That the Company send 3,000 merchantable negroes to Jamaica annually (provided that they have good payment of their debts there), and sell them at 18*l.* a head, the sum to be paid there at six months' forbearance upon good security, which negroes may be sold by lots made from the whole cargo of the merchantable negroes of every ship without any reservation whatever. Also that the Company may be also obliged to send constant supplies of negroes to the other plantations, and take particular care that Montserrat and St. Christophers (from whence came great complaints) be well provided for in future.

Mr. Attorney-General presents the Committee with his observations on the draft of Mr. Penn's patent. [*Col. Entry Bk., Vol. CVI., pp.* 230–233.]

[Nov. 11.] **1584.** "Mr. Attorney-General's observations upon William Penn's "grant, which are not agreeable to law here, but are in the Lord "Baltimore's Patent. Power to assemble the freemen and make "such laws as with their advice he shall think fit, provided they be "consonant to reason, and as near as may be agreeable to those of "England. To make judges; to pardon crimes [par. ?]. 6. Power "to make ordinances on emergencies for preserving the peace and "defence of the country without assembling the freeholders. Power "to make Corporations, pa. 11, which the King cannot do; par. 12, "power for all the inhabitants to import any goods into England or "Ireland. 13. Power to make ports. 14. He to have the customs "and subsidies in ports. 16. Power to grant to hold of himself "*non obstante* the statute *Quia Emptores*. 17. Grant that the "K[ing] shall not set or impose any customs, taxes, &c. [*In a "different hand*]: No power to build churches." *Scribbled on a scrap of an old letter. Endorsed as above.* [*Col. Papers, Vol. XLVI., No.* 39.]

Nov. 12. Port Royal. **1585.** Sir Henry Morgan to Lords of Trade and Plantations. I have duly discharged Francis Mingham from prison in obedience to your Lordships' letter of 25th July last, though I am persuaded that I could have given you good reasons for keeping him there. However, my duty pleased me more than my advantage in the 2,000*l.* execution, and I am grateful to you in taking security for his answering the same in England. I now beg leave to present

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your Lordships with the true state of the case th how your great goodness has been abused both petition and his printed case; nor do I doubt that understand, when you have read the same, how sc I and the government have been slandered, and must suffer unless your Lordships' deep foresight and so growing an evil. *Inscribed*, Recd. 9 Feb. 168(*Vol. XLVI., No.* 40; *and Col. Entry Bk., Vol. X*

Nov. 12. Port Royal. **1586.** Sir Henry Morgan to Lord Sunderland. no opportunity of writing since Lord Carlisle's d so far I have received no reply from your Lor Heywood, of H.M.S. Norwich, arrived here 2nd i I am in some difficulty how to behave myself tow and Spaniards, for I have no copies of the late that they may be despatched to me. Twelve da Mr. John Crocker, merchant, from Spain with a King of Spain to trade with the English, Fre in America for negroes, and it is confidently r shall shortly have free trade with Spain upon treaty. This will speedily make this Island very all the current cash that we now have is brought trade with them. There lately arrived here a k only two men on board. Their statement on c were bound from New England to Guinea, where negroes, elephants' teeth, and dust gold, and saile their way they called at an island called St. M French Government, to wood and water, and into the harbour with much friendship, but aft seized and the ship unloaded. The master and there to obtain redress, but consented that these adventure by stealth to this island, and, when I the whole story of the master, I shall transmit it All is quiet here; grateful seasons of rain pron crops. 1½ *pp.* [*Col. Papers, Vol. XLVI., No.* 4

Nov. 12. Boston. **1587.** An account of *moneys to remain in* Mr. Monch's gift, 450*l.*, Hon. Mr. Boyle's gi remainder general stock at several times transm Woodmancy, Wait, and Ingram 100*l.*, "Collidg Jos. Whiteing and Jno. Pincheon 100*l.*, Daniel John Pincheon 475*l.*, Edward Rawson 300*l.*, Hammon 544*l.*, Sampson Sheafe 100*l.*, Mr. Green Shermon 25*l.*, Brintner and Platts 6*l.* Remaind year sent over to be received by William Stou put out, 230*l.*; total, 2,230*l.* *Endorsed*, An part of the stock for evangelizing Indians in Ne 25 May 1688 from Mr. Randolph. *True c Randolph.* [*Col. Papers, Vol. XLVI., No.* 42.]

Nov. 12. **1588.** A humble motion on the part of Jar of Trade and Plantations]. 1. That the Chance

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empowered to cause stop of execution if the creditors in Jamaica, upon the lessening of interest, or the regulating the negro trade, shall violently persecute the planters, yet so as the debtors pay as much as is possible without breaking up his plantation, and that the creditors receive the interest of the country for such forbearance. And if it be thought best to enable the said Chancellor so to do by an Act to be there passed, that the same be of force for but one year. 2. It is worthy of consideration whether a Governor solely ought to have and execute the authority of Chancellor and Ordinary and Admiral and power of pardoning crimes, or whether some of the Council or Judges of the Supreme Court should not be called to his assistance. 3. Also whether some method of appeal from the judgment of the Supreme Court somewhat like the examination of a judgment given here in the King's Bench by the same judges and others of the land in the Exchequer Chamber be not needful to prevent such hardship as Francis Mingham undergoeth, who thought he hath met with speedy justice here, yet his imprisonment will be near two years. 4. Also whether the Supreme Court in Jamaica ought not to have from His Majesty a scale under which the Courts at Westminster. if occasion be, may be certified of any proceedings, and that the Chief Justice keep the same. 5. Also whether that part of the Commission or Instructions, which declares a suspended Councillor incapable of being an Assembly man, as also that part which giveth power of transporting men, seeing it is the leewardmost island, do not deserve a new consideration and amendment. 6. Also, it conducing to the benefit of His Majesty's affairs, as well as the inhabitants, that a true account be given to Court of affairs there, that His Majesty will please to give leave to the inhabitants to raise money to pay their solicitors here. 1 *p. Inscribed,* Delivered by Colonel Long, Nov. 12, 1680. Read 27 Nov. 1680. [*Col. Papers, Vol. XLVI., No.* 43.]

Nov. 15. Nevis. **1589.** Governor Sir William Stapleton to Lords of Trade and Plantations. My last of 26th ultimo for want of conveyance goes with this. Nothing new since then except that Count d'Estrées with his whole squadron was at anchor at Guadaloupe bound for St. Christophers, but on receiving news from the Governor of Granada and Grenadilles [Grenadines] that English men-of-war with Spanish commissions had taken some of the French fishing sloops there, he immediately weighed anchor to pursue them, so cannot be at St. Christophers as soon as he intended. It is now doubtful whether he will come there or not, though a fly-boat of 800 tons, with provisions and ammunition, has arrived there for him. They keep us as much upon the watch as if there were war, for considering their yearly preparations we know not how matters may stand, and fear the occurrence any instant of something which for want of precaution may be lamented. While we live we must repair our breaches and continue guards. Anything that I can learn of their designs shall be duly communicated to you. Contrary to my expectation and humble addresses for a vessel of countenance,

1680.

the Deptford ketch arrived here on the 8th instant to be as silent as satisfied with what is sent. *I* note that the report of four English men-of-wa commissions was a fiction of theirs to conceal th design of sailing to Petit Guavos again. Their *Inscribed*, Recd. 15 Feb. 1680–81. *Holograph Papers, Vol. XLVI., No.* 44, *and Col. Entry B pp.* 454, 455.]

Nov. 16. Whitehall. **1590.** The King to the Governor of Virginia naval officer within his government to make due particular accounts of all imports and exports, and burthen, guns, and from whence they come, and said accounts to be transmitted to Lords of Power to appoint fit officers for the same. *Cop Vol. XLVI., No.* 45, 1 *p., and Col. Entry Bk., Vol.* 403.]

Nov. 17. Whitehall. **1591.** Order of the King in Council. Upon re of the owners and freighters of the ship Virgin Spaniards in the West Indies in 1673, claimi 2,000*l.* spent in prosecuting their claim during years: Ordered, that the matter be referred to t and Plantations for their report. *Signed*, Fra *dorsed*, Recd. 28 Jan. 1680/81. Read, 12 Feb *Papers, Vol. XLVI., No.* 46.]

[Nov. ?] **1592.** "My Lord Chief Justice North's Mr. Penn's Patent." A digest of the Patent, margin, with comments on the other half, all the same hand. 2 *pp.* On a third blank pag draft of an additional clause, providing that Pen an agent or agents to reside in London who s in the courts of law for any offences against the and that in default of payment of damages adj Colony in a court of law within the space of or shall have power to resume the government of payment be made; but notwithstanding such Government, the property to remain always v his heirs. ½ *p. The paper is inscribed as abo Vol. XLVI., No.* 47.]

[Nov. ?] **1593.** "Restrictions proposed for Mr. Pen Lord Chief Justice North. The power of ma property and raise money is in Mr. Penn and power to make ordinances for government is and but to determine when the Assembly meet There wants a clause to enable the King withi repeal the laws and ordinances of either sort ordinances of Mr. Penn for government." Prop the clause relating to the Navigation Acts. ½ *Vol. XLVI., No.* 48.]

1680.

Nov. 18. Plantations General. **1594.** [William Blathwayt] to Sir J. Werden. I laid your report in Mr. Penn's petition before the Lords of Trade and Plantations, and now send you an extract of so much of the Patent which he is soliciting as concerns the boundaries, that you may state your objections thereto, if any, at a meeting to be held next Tuesday. *Copy.* ½ *p.* [*Col. Papers, Vol. XLVI., No.* 49.]

Nov. 18. Council Chamber. **1595.** William Blathwayt to Lord Baltimore's Agents. Your letter of 23rd June (*ante, No.* 1404) was laid before the Lords of Trade and Plantations. Their Lordships have since passed the draft of the Letters Patent to Mr. Penn, which, Mr. Penn alleges, has been put into your hands. Their Lordships meet on Tuesday next to consider the matter, and unless you have any objection to offer they will take their final resolution thereon. *Draft.* 1 *p.* [*Col. Papers, Vol. XLVI., No.* 50.]

Nov. 18. **1596.** Copy of the Bond of Peter Lawrance to James Russel. For the payment of 10*l.*, part of a fine imposed by the Massachusett's Court of Assistants for contempt of authority. *Endorsed,* Copy of Lawrance's Bond to the Treasurer of the Colony and not to His Majesty for 10*l.* paid. 1 *p.* [*Col. Papers, Vol. XLVI., No.* 51.]

Nov. 19. Whitehall. **1597.** Order of the King upon the Report of John Chicheley and William Hickman (Commissioners of the Ordnance). His Majesty having verbally referred to them the petition of Captain John Temple, late Commissioner of His Majesty's ship Jersey, for their opinion what compensation was fit to be made to the said Captain for his service in weighing several ordnance and shot lost out of the Jamaica, merchant, and by him left at Jamaica for His Majesty's service, they caused the principal officers of the Ordnance to inspect the matter, who have given their opinions (hereto annexed) that 150*l.* may be a fitting compensation, and they themselves conceive the same to be reasonable. His Majesty directs that the report with the papers annexed be transmitted and recommended to the Lords Commissioners of the Treasury to give order for paying petitioner the above-mentioned sum. ½ *p.* [*Dom. Entry Bk., Chas. II., Vol. LV., p.* 94.]

Nov. 19. Whitehall. **1598.** Order of the King in Council to the Admiralty to prepare a frigate to transport Sir Richard Dutton, his lady, children, and goods to Barbadoes, and thence, after a fortnight's stay, bring home Sir Jonathan Atkins. [*Col. Papers, Vol. XLVI., No.* 52.]

Nov. 20. St. James's. **1599.** Sir J. Werden to William Blathwayt. I received your letter of 18th instant (*ante, No.* 1594) at 2 o'clock to-day. I am first to premise that in cases of this nature it were most proper to take the advice of legal counsel as to the boundaries of a new patent, but remembering the Duke of York's instructions as expressed to you in my letter of 20th October last, I frankly tell you my opinion thereon. I believe descriptions of lines of longitude (especially) and latitude are very uncertain, as also under what meridian the head of Delaware river lies, which I believe

1680.

has never been surveyed by any careful artis
intention is that Mr. Penn's grant be bounded on
Delaware river, and that his south limit be twent
beyond Newcastle, which extent northward of Ne
may reach as far as the beginning of the 40th degre
therefore Mr. Penn's patent be so worded as to lea
twenty or thirty miles beyond it free, with the D
the eastern boundary, I think this is all the cauti
the Duke does not concern himself how far north o
patent extends. *Holograph.* 1¼ *pp.* [*Col. Pape
No.* 53.]

Nov. 20. **1600.** Major-General Smith to the Twenty Col
Two letters. (1.) Having been appointed by the K
General of all the forces in Virginia, it is my du
annually of the armed force of the country. Y
carefully obey the following instructions. (2).
housekeepers and freemen fit to bear arms in
organise them in companies of foot (sixty men
each company), and troops of horse (forty men
each troop). You will cause the officers to exerc
will return me at the close of each year a correc
and of their arms. Total strength of the foot 7
1,300, scarce one-half of them armed, especia
Ammunition very scarce for an emergency. *Copy*

Nov. 20. Duplicate of above. [*Col. Papers, Vol. XLVI.,*

[Nov. 20.] **1601.** Petition of Timothy Biggs to the Lor
made his escape and come to England to give a
rebellious proceedings in Carolina; prays that
considered, and that the rebels be commanded
the King's dues received. *Endorsed,* Read, Nov
Papers, Vol. XLVI., No. 56.]

Nov. 22. Edinburgh. **1602.** The Duke of York to Sir E. Andr
David Hepburn, master of the St. Lucar of B
to traffic with the inhabitants of New York. ½ *p.*
Vol. LXX., p. 34.]

Nov. 23. St. James'. **1603.** Sir J. Werden to William Blathwayt.
fallen into discourse with me of his concerns i
wrote to you on Saturday, I have told him the
I wrote, and he seems to fear that if his south li
at twenty or thirty miles north from Newcast
have so little of the river left as very much to
he hath of improving the rest within his patent
side he is willing that twelve English miles n
be his boundary, and believes that distance w
beginning of the 40th degree of latitude. I hav
to you all that I know of the Duke's mind he

1680.

general to keep some convenient distance from Newcastle northward for a boundary to the Colony; but I confess I do not understand why 'tis precisely necessary to insist on just such a number of miles more or less in a country of which we know so little, ard when all the benefits are intended to the patentee that others enjoy, so as I submit this point to their Lordships' consideration, and do not think it material to add more at present." *Holograph.* ¾ *p.* [*Col. Papers, Vol. XLVI., No.* 57.]

Nov. 25 **1604.** Journal of Lords of Trade and Plantations. Divers Acts of Barbadoes read. Agreed that the Act appointing an impost on powder be continued and confirmed. [*Col. Entry Bk., Vol. CVI., p.* 236.]

Nov. 25. **1605.** The Clerk of the Assembly of Barbadoes to Lords of Trade and Plantations. Transmits returns of the Assembly's proceedings. No Assembly is now in being, and it is not known when the Governor will appoint an election. *Endorsed,* Recd. 5th March 1680-81. ½ *p.* [*Col. Papers, Vol. XLVI., No.* 58, *and Col. Entry Bk., Vol. VII.,* 55*a.*]

Nov. 26. **1606.** Journal of Lords of Trade and Plantations. The Lords Proprietors of Carolina attend in pursuance of the Order of 19th July; also Thomas Miller, late Collector of Customs in Albemarle county, whose petitions were read in his presence. The joint report of the Proprietors and the Commissioners of Customs (*see No.* 1343) read, and the answers of the Proprietors to the petitions of Thomas Miller and Timothy Biggs. Divers other papers presented by Mr. Miller and the Proprietors. Upon the whole matter the Lords think fit that the Proprietors and Commissioners agree finally upon the best method for the recovery of arrears and collection of future customs. The Proprietors consent and undertake to hold the Commissioners to establish their authority in Carolina, and procure compensation for Miller and other injured officers. [*Col. Entry Bk., Vol. CVI., pp.* 234, 235.]

Nov. 29. **1607.** William Blathwayt to Governor Lord Carlisle. Transmitting copy of the paper of the Jamaican planters (*ante, No.* 1575) for his consideration. [*Col. Entry Bk., Vol. XXIX., p.* 477.]

Nov. 30. **1608.** Edwyn Stede to Lords of Trade and Plantations. Transmitting quarterly accounts from the Council and the Secretary's office. Kept these back for a month in order to carry the proceedings to the close of the then existing Assembly. *Endorsed,* Recd. 24th January 1680-81. [*Col. Papers, Vol. XLVI., No.* 59.]

[Dec.] **1609.** "Mr. Penn's boundaries settled by my Lord C. J. North." Draft of a complicated clause as to the eastern and northern boundaries, evidently designed to meet Sir J. Werden's objections (*see ante, No.* 1603). ½ *p.* [*Col. Papers, Vol. XLVI., No.* 60.]

Dec. 7. **1610.** Order from the Admiralty to Captain John Ashby, of H.M.S. Constant Warwick. To receive Sir Richard Dutton with

1680.

his four-and-twenty servants on board and t
Barbadoes, touching in the passage at the Madr
or such other places as he shall direct, and co
such time as he shall desire, not exceeding four
[*Col. Papers, Vol. XLVI., No.* 61.]

Dec. 8. **1611.** List of Particulars delivered to Sir R
December 1680. (1.) A circular letter from the
Plantations. (2.) Heads of Inquiry. (3.) Copy
sent to the Governor and Council of Barbadoes.
the King of 9th November 1680 concerning th
(5.) A duplicate of Mr. Blathwayt's patent for th
in the Plantations. (6.) King's letter concer
(7.) Letter from Lords of the Treasury concernir
Instructions to Governor Stapleton for commutir
duty. [*Col. Papers, Vol. XLVI., No.* 62.]

Dec 11 **1612.** Memorandum to Sir Henry Morgan f
passing the Bills transmitted to him by the K
Clause providing that nothing in the Act be con
or abridging the power of the Governor and Co
This clause was agreed on by the Committee of
tions after consultation with the Attorney-
acquiesced in by Colonel Long and the other gen
Bill for regulating the Courts of Justice: Clause
Judges of all Courts shall, in criminal matters and
title or property, proceed according to the laws
after to be made in England, except where oth
the laws of Jamaica; *the words* criminal matters
to matters concerning title of land and propert
matters of treason, felony, and petty larceny.
was agreed to upon very serious consideration
altered. Also, a proviso, that no English statu
Jamaica until two years after the passing there
thereof in the Island, was wholly struck out.
Ministers: The sum of 60*l.* was altered by the
the former sum appearing too small for the n
minister. Bill for the more speedy collection
clause providing for the application of quit-rent
expenses of the Government of Jamaica was ag
that in the Bill transmitted to Lord Carlisle. *Dra*
2½ *pp.* [*Col. Papers, Vol. XLVI., No.* 63.]

[Dec.] **1613.** Rough draft of foregoing memorandu
small differences of language only. 2 *p.* [*Col.*
No. 64.]

Dec. 13. Whitehall. **1614.** Journal of Lords of Trade and Planta
to several papers lately received from Virginia
lately passed there and the proceedings of the
letters of 9th July and 20th August last fro
Virginia, also a request of the Assembly fo

1680.

planting tobacco in 1681, and information of a mutiny like to happen in one of the foot companies sent over by His Majesty. Agreed that the letter be submitted to His Majesty in Council and debated whether their Lordships shall defer the consideration of the other papers until Lord Culpeper's arrival, who is said to be landed in Ireland.

Agreed that further orders be given for the transmission of returns of exports and imports.

Laws of Barbadoes considered. [*Col. Entry Bk., Vol. CVI., pp.* 237–239.]

Dec. 14. **1615.** Warrant of the Commissioners of the Admiralty to Captain Crow, commanding His Majesty's yacht Merlin. To victual Sir Richard Dutton's servants while on board the Merlin in the same manner as the ship's company. *Copy.* [*Col. Papers, Vol. XLVI., No.* 65.]

1616. General account of the commodities imported to Barbadoes from 14th September to 14th December 1680. *Signed by* Abraham Langford, Clerk of the Naval Office. [*Col. Entry Bk., Vol. X., No.* 4.]

Dec. 15. Whitehall. **1617.** Order of the King in Council. Referring to the Lords of the Treasury two letters from the Secretary of Virginia to the Earl of Sunderland, dated 9th July and 20th August last, touching a cessation from planting tobacco for the year 1681, for their report thereon. [*Col. Entry Bk., Vol. LXXX., p.* 399.]

Dec. 16. **1618.** Journal of Lords of Trade and Plantations. Lord Carlisle, Colonel Long, Mr. Beeston, and other Jamaica gentlemen attended upon a paper presented by them containing particulars of the government of Jamaica, which was taken into consideration (*see* Report on these proposals No. 1622).

Mr. Penn is called in concerning the patent desired by him, and upon reading the letters from Sir John Werden touching the boundaries wherein the Duke of York is concerned, their Lordships order that, for the settlement thereof, Sir John Werden attend them on Saturday next, at which time Lord Baltimore's agent is likewise ordered to attend on behalf of his Lordship's propriety of Maryland. [*Col. Entry Bk., Vol. CVI., pp.* 239–243.]

Dec. 16. **1619.** William Blathwayt to Richard Burke. The Lords of Trade and Plantations have appointed the 18th instant as the day whereon they will hear the exceptions of Lord Baltimore's agents against the draft of Mr. Penn's patent, and you are therefore desired not to fail to be in attendance on that day at 4 p.m., their Lordships being resolved to proceed to a resolution on the matter.

The same to Sir J. Werden, desiring his attendance at the same time. *Drafts, both on one page.* [*Col. Papers, Vol. XLVI., No.* 66.]

Dec. 16. Westminster. **1620.** Memorial of the Dutch Ambassador to the Court of England. Is ordered by the States General to reiterate the demands

1680.

made in his former memorial of $\frac{11}{21}$ October 167
for the restitution of St. Eustatius and Saba,
believe that in the course of thirteen months the
received an answer from his Governor on the s
that on this reiteration of the demand His M
favourable reply. *Signed* D. v. Leyden d
Endorsed, Recd. and read at the Committe
19 Dec. 1680. To be referred to the Committe
report the state of these matters to the King. R
81. The original returned to Mr. Secretary Jenki
in Council. *French.* 1½ *p.* [*Col. Papers, Vol.*

Dec. 17. Nevis. **1621.** Deposition of Joseph Harris, master o
ment of Youghal. Left Nevis roads on his pass
to New England, 8th August. On 15th August
lat. 25° 30′ N. standing towards him; lay to till
she immediately fired a great gun, shotted. Low
by order of the ship went on board her with thr
her to be a Spanish vessel of ten guns and twe
sixty men. Deponent and his three men were
while the Spaniards sent a party on board t
ransacked it, taking whatever they pleased.
also went on board, and took away from the c
worth carrying to the value of 100*l.*, and all t
one half barrel of beef. They then sent depo
ship and sailed away.

Deposition of John Rolfe, seaman, who was
went aboard the Spanish ship with Harri
statement.

Deposition of John Richman, seaman of the Agr
Harris's statement in every particular. The S
everything, in cabins and hold alike, and carried
clothes, and though some begged a shirt of them
drawing their swords. The Spanish ship had a
and is supposed to be the Lion of Havanna. *A
sworn before Sir W. Stapleton, and attested b
hand. Endorsed*, Recd., 17 Oct. 1681. 2½
Vol. XLVI., No. 68.]

Dec. 18. Council Chamber. **1622.** Report of Lords of Trade and Plant
on the proposals of the merchants and plant
ante, No. 1575). (1) It is desired by the m
Chancellor of Jamaica be empowered to cause s
the creditors of Jamaica, upon the lessening of
regulation of the negro trade, shall violently pros
yet with the proviso that the debtor pay as
without breaking up his estate, and that the
interest from the country for his forbearan
thought best, an Act be passed in Jamaica to en
such Act to be in force for one year only. In
do not think it consistent with justice or the
that any such Act or Order should be made, e

1680.

African Company, which is the principal creditor, will be prejudiced thereby without its own consent, contrary to the existing agreement with the Planters, and would be discouraged from sending further supplies of negroes to the Island. The proposal is also repugnant to Order in Council of 12th November last, which regulates the number and prices of negroes that are to be sent yearly by the Company to Jamaica, and the forbearance to be allowed to debtors. We think that the best course would be for us to recommend the case of the planters by letter to the African Company, informing them that it would be pleasing to your Majesty, encouraging to the planters, and hence to the Company's advantage that they should not be over-hasty in calling in their debts, especially from such as cannot now pay without breaking up their plantations. (2) We offer no opinion whether a Governor should combine in his sole person the authority of Chancellor, Ordinary, and Admiral. (3) As to the question of appeals from the judgment of the Supreme Court of Jamaica, with special reference to the case of Francis Mingham, we think it is fit that appeals should be permitted from all the Courts of Jamaica to the Governor and Council on civil causes (at the hearing whereof any three or more of the Judges of the Supreme Court are to be present), provided that the value appealed for exceed 100*l.*, and that the Appellant give security for such costs as shall be awarded if the original sentence be confirmed. If the Appellant be unsatisfied with the judgment of the Governor and Council, he should then be at liberty to appeal to your Majesty in Council, on making good the proviso requisite in the first appeal. In this case execution shall not be suspended by reason of such appeal to your Majesty. We recommend, therefore, that the Governor be directed to settle this method in Jamaica by the best means he can. (4) On the suggestion that the Supreme Court of Jamaica should have a seal, to be kept by the Chief Justice, under which the Courts at Westminster may if necessary be certified of any proceedings, we would observe only that no such seal is appointed for other Plantations, and that the public seal may be used if necessary. (5) We see no reason to alter that part of the Commission and Instructions to the Governor, whereby a suspended Councillor is declared incapable of election to the Assembly, nor that part which gives power to transport men from the Island. (6) Upon the suggestion that the inhabitants be allowed to raise money to pay their solicitors here in order that a true account may be given to the Court of affairs there, we think that the Governor should be empowered to consent to a law for raising money for the better carrying on the solicitation of the public affairs in England, provided that such levy do not exceed 300*l.* yearly. If the Governor do not think fit to agree to such a law, the persons concerned may be permitted to make voluntary contributions for the same object, provided that such contributions do not exceed 300*l.* in any one year, and that if any complaint be intended against the Governor, notice thereof be immediately given to him, together with a copy of the charge against him. The questions concerning the Admiralty and the restraint of privateers we have

1680.

referred to Lord Chief Justice North and Mr. S for their report. *Signed*, Clarendon, Bath, L. J [*Col. Papers, Vol. XLVI., No.* 69.]

Dec. 30. **1623.** Warrant from the Commissioners of t Captain Ashby of H.M.S. Constant Warwick, merchant ship laden with Sir R. Dutton's bagga [*Col. Papers, Vol. XLVI., No.* 70.]

Dec. 30. Jamaica. **1624.** Deposition of Robert Oxe, master of th London. Deponent being on a voyage in the br sent, on Sunday 2nd May 1680, his barque of abou lagoon of "Treece" (Trist) to fetch a pilot abo stood in to pick him up. In the evening saw pinnace to meet her and found her to be a Spanish on learning this from the pinnace, fired a gun Browne, master of the pink Recovery who wai until he came up. That night made sundry atte Browne, slipping anchor and cable for his assistar was forced to let slip both anchors and cables and of the Laurel. On the 6th May the Spanish friga Spanish men-of-war, came up with them. Cast l took Browne and his men on board. The Spanis four or five glasses and then ran ahead and to this while the barque sent into Trist had b deponent, taken by the Spaniards. Stood in river of St. Peter and St. Paul for water and stoo until forced to go to the Cays of Yucatan for surprised by the Spaniards at night when most ashore. The Spaniards killed two men and c deponent, hanging him up at the fore braces seve him with their cutlasses, and striking him in inhuman cruel manner. After taking his ship 5,000*l.*, they turned him with eight hands into a of Turrinife (*sic*) with only two days' provisio fifteen days before any relief came. The Spani Lord Carlisle's pass, flinging it from him deponent's was the twenty-second ship he had cap They said that they would come to Jamaica too they had taken five hundred English prisoners, for "Laverrecruise" [Vera Cruz]. *Signed*, Robe Sworn before the Deputy Governor and Council (Signed) Rowland Powell, Cl. Council. "Rec from the E. of Carlisle. 1 *p.* [*Col. Papers, Vo*

Dec. **1625.** A list of several ships of goods seized i by Edward Randolph, His Majesty's Collector Piscataqua, and the province of Maine, between the 20th December 1680. Seven ships, two lot man seized, the man being Peter Lawrance, St. John of Dublin, for, among other offences, " Majesty's jack." 2 *pp.* [*Col. Papers, Vol. XL*

1680.
Dec. **1626.** The case of the ship Virgin, taken by the Spaniards in the West Indies in May 1673. A succinct history of the case down to the final reference thereof to the Committee of Trade and Plantations by Order in Council of 17th November. *Printed.* 1 *p.* [*Col. Papers, Vol. XLVI., No.* 73.]

1680? **1627.** Petition of John Style to the King. Petitioner was a prisoner in Jamaica for a fine of 500*l.* to the King inflicted by the Government and Justices of that Island, as per enclosed proceedings sent to the King's Secretary, Sir William Morris. Petitioner is utterly ruined and undone, and begs His Majesty's mercy and remission of the fine. [*Col. Papers, Vol. XLVI., No.* 74.]

1680. **1628.** Acts of Antigua. Act for cleansing and enlarging common paths and highways. Act for repairing and cleansing of common ponds. Act for bringing in runaway negroes and encouragement of such as shall bring them in. Penalty of death to any slave to runaway for three months. Owner compensated from public funds. Act for settling the Militia, the Guards, and the observation of the exercise of martial discipline. Drill once a month. Those who fail to appear, fined 50 lbs. of sugar or tobacco. Members of Assembly, not in command, exempted. False alarms through needless firing of guns punishable by fine of 500 lbs. of sugar. Captains failing to exercise their companies fined 1,000 lbs. of sugar, lieutenants 500 lbs., ensigns 300 lbs. Every man to have a well fixed fire-lock gun, 1 lb. of powder, and 20 bullets under pain of fine of 500 lbs. of sugar. The days appointed for the exercise of every individual company. Very careful and exact orders for the movements of troops according to the quarter when the alarm is first given. Approved by the King in Council, 8th February 1681. [*Col. Entry Bk., Vol. LI., pp.* 1–19]

1629. Acts of Montserrat. An Act imposing a Duty of Powder on all the growth or manufacture of Sugar, Tobacco, or Indigo transported from this Island. Act for the making a Restitution for Cattle stolen by Negroes, and Licenses for Tap-houses in town and country. Approved by the King in Council, 8th February 1681. [*Col. Entry Bks., Vol. LVI., pp.* 1, 2, *and Vol. LI., p.* 21.]

1630. Acts of Nevis. Act for ascertaining Lands, as also for affixing slaves, coppers, &c., to the freehold, 8th May. Act for Repeal of an Act touching payment of Sugar for money contracts out of this Island, at fifteen shillings per cent. [*Col. Entry Bk., Vol. LVIII., pp.* 1, 4, *and Vol. LI., pp.* 29–46.]

Act for encouraging buyers of servants. Act for preventing fraudulent accounts of handicraftsmen. Act for preventing making dangerous fires in Charlestown, *i.e.*, "boiling pots and dressing victuals in the streets." Act for preventing the landing of infected persons. Act to repeal a clause in the Act for preventing the barbarism of negroes. Act for Ministers' duties. Approved by the King and Council, 8th February 1681. [*Col. Entry Bk, Vol. LI., pp.* 29–46.]

1680?

1631. Summary of recent history of Leeward Islands. The French after taking St. Christophers in the late Dutch war soon took Montserrat and Antigua; nor had Nevis stood had it not been succoured. They then disarmed the inhabitants, carried away all their negoes, horses, &c., destroyed their sugar works, and left them naked to the cruelties of the Indians that accompanied them. Nevis escaped through the happy arrival of Sir J. Berry with ships, which also recovered Antigua and Montserrat. These last two are now in a thriving state, but still weak as to defence, Antigua having many harbours and landing-places easy of attack, and Montserrat and Nevis being exposed to the like danger unless guarded by a naval force, which can not only defend the four Islands by keeping about Montserrat, but also attack the French. Those that are masters at sea may on accasion collect a good body of men from the Islands for such service. He that first attacks in St. Christophers may easily take the whole of it, and though the English are inferior in number yet they can be reinforced from other Islands if there be no French fleet, or a squadron of English ships. Sugar the most considerable [produce]. The Islands load 200 ships yearly, worth 1,000,000*l.* annually to the nation. The loss may endanger Barbadoes. English, 4,930; French, 6,330.

INDIANS.—During the late war with France the Indians of St. Vincent and Dominica came to windward of Montserrat and Antigua in their periagos, surprised the inhabitants that were keeping guard among the French, burnt their houses, tormented and killed the men, and carried off the women and children, ravishing and making slaves of them. They have great opportunity to annoy the Leeward Islands, winds and currents making access easy, so that the English are forced to be always on their guard, and keep several files of men upon the watch; and three nights before and after the full moon (which gives the Indians light for their exploits) they are forced to double the guards, and make constant patrols of horse, to the great discouragement of the inhabitants and neglect of the plantations. Any ships sent by the King will be of service, not only to the Leeward Islands, but also to Barbadoes and Jamaica. (*What follows is run through with the pen*). Plantations settled upon the Continent are injurious to the nation, swallowing up great numbers of people, and are able to produce food and raiment for their livelihood (*sic*), but the sugar plantations are managed by a few English, and great number of negroes, and are supplied with all sorts of provisions from England. They employ great number of ships, which bring home native commodities to England, great part whereof is re-exported. On these plantations depend the Guinea trade. Leeward Islands and Barbadoes may succour each other, Jamaica not. *Draft in Blathwayt's handwriting, designed apparently to second Stapleton's request for ships.* 3½ *pp.* [*Col. Papers, Vol. XLVI., No.* 75.]

1632. Proposals of Abraham Langford and Francis Terwith. 1. To use their endeavours to find out the several prizes hereafter mentioned that are not yet accounted for to the King. 2. Also to find out several goods that were the King's, as provisions, sails,

1680?

rigging, and brandy, to the value of 1,000*l.*, unaccounted for. 3. The like for fines, forfeitures, and escheats to value of 1,000*l.* more. 4. On condition of receiving one-third part for their pains.

	£
The prize Golden Lion, worth - -	1,200
Prizes seized by Colonel Codrington, worth -	1,200
Escheated estates - - - -	1,000
Goods and brandies above mentioned - -	1,000
Total - - -	4,400

Scrap. [*Col. Papers, Vol. XLVI., No.* 76.]

1680? **1633.** "Several reasons offered for not removing the Planters from the Newfoundland by several merchants and masters of ships which many years have used the trade of fishing there." Nine reasons in all, setting forth the ruin that would accrue alike to English traders and Newfoundlanders. *Signed* by the Mayor of Poole and twenty-four others of the town. *Endorsed*, Not allowed at the Committee. [*Col. Papers. Vol. XLVI., No.* 77.]

1634. A list of all the Planters and Inhabitants in the English ports in Newfoundland, *anno* 1680. 212 planters, of whom 99 married, 139 sons, 112 daughters, 23 women servants, 1,695 men servants in summer, 1,107 in winter, 2,181 inhabitants in summer, 1,693 in winter. 454 kine, 25 horses, 361 boats.

An account of the ships which fished in the English ports in Newfoundland 1680. 97 ships of 9,305 tons and 3,922 men.

A list of ships which goes for sack out of the English ports in Newfoundland, 1680. 99 ships of 8,123 tons, 1,157 men, 415 guns. *Large sheet.*

Duplicate of above. [*Col. Papers, Vol. XLVI., Nos.* 78, 79.]

1635. Copy of an Act of Free and General Pardon, Indemnity, and Oblivion. *Inscribed*, "This Act was past in Virginia in 1680, upon occasion of Bacon's Rebellion." 9 *pp.* [*Col. Papers, Vol. XLVI., No.* 80.]

1636. The Council of Virginia to the Lords of Trade and Plantations. We have received your letter of 14th January 1680 (*see ante, No.* 1261) and have duly observed the directions therein contained by an annual transmitting of all laws and orders, &c., while Lord Culpeper was actually present, who carried exact copies of all transactions with him. Our trade is in a more declining condition than ever has been known by the low value, or rather no value, of our only commodity tobacco, and the indigency of the inhabitants, so that if some means be not timely taken to raise our now totally sunk commodity, the inhabitants will be in a most deplorable condition and the peace and quiet of the government will be hazarded. [*Col. Entry Bk., Vol. LXXX., p.* 410.]

1637. A List of the Civil and Military Officers in Virginia arranged under the heads of the several Counties, with the Civil

1680?

Officers first and the Military below them. Also a List of the Attorneys. The following is a brief abstract:—

County.	Civil Head.	Military Head.
Henrico	Colonel William Byrd	Colonel William Byrd.
Charles City	Colonel Edward Hill	Colonel Edward Hill.
James City	Colonel Thomas Ballard	Colonel Thomas Ballard.
Isle of Wight	Mr. Nicholas Smith	Colonel Joseph Bridger.
Surrey	Captain Lawrence Baker	Colonel Thomas Swann.
Nanzemond	Colonel John Lear	Colonel John Lear.
Warwick	Mr. Humphrey Harwood	Colonel William Colehorste.
Lower Norfolk	Colonel Lemuel Mason	Colonel Lemuel Mason.
Elizabeth City	Colonel Charles Morison	Colonel Charles Morison.
New Kent	Colonel John West	Colonel John West.
York	Colonel John Page	Colonel John Page.
Gloster	Colonel Math. Kemp	Colonel Aug. Warner.
Rappahannock	Colonel John Stone	Colonel John Stone.
Middlesex	Mr. Richard Perrot	Colonel Chris. Wormeley.
Lancaster	Colonel William Ball	Colonel William Ball.
Westmoreland	Colonel William Pierce	Colonel William Pierce.
Northumberland	Colonel Thomas Brereton	Colonel Thomas Brereton.
Stafford	Colonel George Mason	Colonel George Mason.
Northampton	Colonel John Stringer	Colonel John Custis.
Accomack	Major Charles Scarborough	Colonel William Kendall.

109 Military and 209 Civil Officers in all. [*Col Papers, Vol. XLVI., No.* 81.]

1638. Abstract of the records of all grants of land that have been made in South Carolina in 1680 in continuation of those abstracted in 1679 (*see ante, No.* 1249).

Persons Names to whom granted.	Number of Acres.	In what County, Parish, or Township, or in what River or Creek situated.	Date of Grant.
William Davis and William Brochus	500	On Stono River	5 August 1680.
Seleo Withrington	400	On Stono River	14 November 1680.
Edward Middleton	1,000	On Goose Creek	" "
James Colleton, Esq.	Town lot	- - -	5 March 1680.
John Cummings	Town lot	- - -	" "
Sir Peter Colleton, Thomas Colleton, and James Colleton, Esq.	Town lot	- - -	" "
Do., do.	Town lot	- - -	" "
Do., do.	3,000	On Cooper River	" "
Sir Peter Colleton	4,420	On Cooper River	" "
Maurice Mathews	Town lot	- - -	" "
Josiah Willis	Town lot	- - -	15 March 1680.
Elizabeth Willis	Town lot	- - -	" "
Joseph West	1,500	On Cooper River	15 November 1680.
John Cottingham	Town lot	- - -	14 November 1680.
Thomas Williams	170	On Ittawa Island	18 February 1680.
Stephen Bull, gent.	Town lot	- - -	10 November 1680.
Richard Codner	76	On Ittchecaw Creek	18 February 1680.
Florentia O'Sullivan	2,400	On Ashley River	6 July 1680.
Thomas Rose	Town lot	- - -	" "
Abraham Smyth	100	On Ashley River	2 November 1680.

[*Col. Entry Bk., Vol. XXIII., pp.* 1–4.]

ADDENDA.

1677—1680.

1677.
Oct. 12. New York.

1639. J. Palmer to Colonel Thornburgh. Sends a power of attorney to him to compose all differences between him and Mr. Winder's creditors. Further business details. [*Col. Papers, See Addenda Volume.*]

Oct. 12. New York.

1640. J. Palmer to Messrs. Robert Wooly and John Lewin. No news to write you. Mr. Pinhorne, the bearer hereof, will answer all questions. I send by him an account of your last cargo at large. I doubt not to send you the balance of that account in tobacco this season, there being more made this year than ever before. I have shipped nothing lately to Mr. Smith at Barbadoes, provisions yielding nothing. To facilitate business between you and the rest of his creditors, I have sent full powers to Colonel Thornburgh to make a small end. Where there can be any kindness showed to Mr. Winder's fatherless children I hope you will not be backward to express it. Mr. Pinhorne, I hope, will settle a right understanding between us. I have given positive orders for Captain Ward's money to be paid to him (*see ante Nos.* 1313–1316). 1 *p.* [*Col. Papers, See Addenda Volume.*]

Oct. 13. [New York.]

1641. Deposition of Robert Little of Rhode Island. Was mate of the ship Nevis Factor which left Rhode Island bound for Jamaica about the 26th November 1675. Might have left sooner if Mr. Hall had not gone to Boston for men; could get no men at Rhode Island owing to bad reputation of ship and master, and not without cause, for after three days at sea they were obliged to keep the pumps continually going till the 31st December, when they arrived at Jamaica. Anchored in the harbour of Jamaica, and after this they were kept so short of provisions and the ship was so bad that four men deserted. Left Jamaica 8th March and shaped course for (?) where they picked up cargo, of one kind or another, to the ship's full freight; but she never was fit for the work, being badly manned, worse victualled, and badly sailed. *Certified copy.* [*Col. Papers, See Addenda Volnme.*]

Nov. 27. New York.

1642. Order of the Court in the action Richard Hall against William Dervall. Judgment in the cross actions that each party pay his own costs, in the ten pound action for plaintiff with costs. Plaintiff moves for an appeal which is granted by the Court. [*Col Papers, See Addenda Volume.*]

1678.
Feb. 28. Whitehall. **1643.** Sir Joseph Williamson to Governor Lord Carlisle. A letter of recommendation in favour of Mr. Beckford. [*Col. Entry Bk., Vol. XCIII., p.* 97.]

March 20. Whitehall. **1644.** The King to Governor Stapleton. Whereas since the capture of Tobago from the Dutch by the French, and the subsequent abandonment of the Island by both nations, it has come to our knowledge that certain negroes have been left behind there by the Dutch, and that no one is in possession of Tobago except some "Salvage" Indians, we have thought fit, in acceptance of your good services, to grant you the said negroes for your own use and property, provided that no one else can show legal title to the same. By His Majesty's command. J[oseph] W[illiamson]. [*Col. Entry Bk., Vol. XCIII., p.* 97.]

July 31. Port Royal. **1645.** Governor Lord Carlisle to Secretary Williamson. I have been much troubled with gout in my passage, but was greatly refreshed by the wine you obliged me with. I despair not of a deliverance, having walked more here in twelve days than in as many months in England. You will have heard before this of the disaster to the Count d'Estrées on the Isle of Avis. I hear this morning by a boy coming from Petit Guavers in Hispaniola that he put on shore about 2,500 men, of whom some 1,200 are dead, and the rest in a perishing condition. This voyage will turn to a very ill account to His Most Christian Master. [*Col. Papers, See Addenda Volume.*]

Aug. 1. Barbadoes. **1646.** Governor Sir Jonathan Atkins to Secretary Coventry. According to intelligence received yesterday from Governor Stapleton, there is little danger now from the French fleet under the command of Count d'Estrées, the greater part of it having been "ruined almost to a miracle." Desirous it seems of making some further attempt on the Dutch or Spaniards, or both, they made their first design upon Curaçoa, whereof the Governor sent out three ships to discover them, with orders to attend the French fleet, but with such care as to run no risk of capture. The French discovering them, it seems, gave chase with all their fleet. The Dutch better acquainted with these seas than they drew them on among some islands, where there was neither water for the great ships nor possibility of avoiding the shelves and rocks there. The first ships that struck fired guns to warn the rest to stand off, which they took as signal for an engagement, and pursued more eagerly, to their ruin, as enclosed relation shows (*see ante No.* 741 XIV.). D'Estrées and most of the men are saved, and not many lives lost, though all their great ships are ruined and gone. Yet for all this my intelligence says that d'Estrées lost not his courage, but would have attempted Curaçoa with the ships which were left, but his buccaneers, "which are only beasts of prey," seeing there was little to be got but blows, deserted him. Since this first misfortune another frigate was driven into Porto Rico, where the Spaniards cut her off, and another wrecked on Crab Island, so that d'Estrées is like to give his master a good account

1678.

of his fleet; I wish them as good luck at home, if we have a war with them. Doubtless this intelligence will reach you before my letter, for the Dutch have not of late years been much acquainted with success, and General Stapleton is so much nearer to those parts that if he had a ship at hand he will send it away at once; but having a ship ready to sail I thought it my duty to despatch the news. *Copy.* 2 *pp.* [*Col. Papers, See Addenda Volume.*]

Aug. 3. Barbadoes. **1647.** Colonel Strowde to [Lords of Trade and Plantations?]. A vessel came in yesterday from the Leeward Islands with news of a great disaster to Count d'Estrées before Curaçoa, his fleet being decoyed on to a place called the Island of Rocks by three Dutch privateers. The loss is reported to be himself prisoner, and 13 ships utterly lost; the rocks are said to be covered with 500 brass guns. This news came to the Leeward Islands by a vessel sent from Curaçoa to treat for an exchange of prisoners. This is the second fleet which Count d'Estrées has lost. [*Col. Papers, See Addenda Volume.*]

[Oct. 4.] **1648.** Address of the Jamaica Assembly to Governor Lord Carlisle. Objections to the Bills brought over by Lord Carlisle from England, and the whole system of Poyning's law:—(1.) The distance of Jamaica from England. (2.) The swiftness of change in colonies from the nature of the case. (3.) The privation of a deliberative voice in the making of laws. (4.) The excessive power vested in the Governor. (5.) The superiority of the former system. [*Presented with the Bill of Impost, 4th October (see ante, No.* 807).] *Copy.* 3 *pp.* [*Col. Papers, See Addenda Volume.*]

Dec. 9. **1649.** The King to Governor Atkins. Directing that Mr. Edwyn Stede, Agent for the Royal African Company in Barbadoes, be sworn of the Council in that Island. By His Majesty's command. J. Williamson. [*Col. Entry Bk., Vol. XCIII., p.* 158.]

1679.

Nov. 29. St. Christopher's. **1650.** Governor Sir William Stapleton to Captain James Aire, commanding H.M.S. Deptford. Ordering him to sail and seize a Dutch vessel said to be at anchor in Statia Roads, and take her to Digby's Bay. *Holograph.* [*Col. Papers, Vol. XLIII., No.* 186.]

1680.

May 27. **1651.** Certificates of Lord Vaughan concerning Captain Charles Morgan, that he served as Captain of Fort Charles, Commissary of Ordnance, and Commander of all other forts and fortifications in Jamaica; also as Captain in the Regiment of Port Royal, in all of which he served with the deportment of a prudent, discreet, and sober officer, from 1st November 1676 to Lord Vaughan's departure from the Island, 14th March 1678.

A similar certificate from Lord Carlisle, only with dates altered to 18th July 1676 and 27th May 1680. *Copies.* [*Col. Papers, See Addenda Volume.*]

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Page 8, line 4, *for* " Deleware " *read* " Delaware."
No. 17, *dele* " Jamaica."
No. 38, *for* " County Count " *read* " County Court."
No. 163, *for* " disposition " *read* " deposition."
No. 172, *for* " there can " *read* " they can."
No. 269, *for* " ClevesleyPoint " *read* " Cleverley Point."
No. 289, *for* " Atticles " *read* " Articles."
No. 303, *for* " Harsford " *read* " Hansford."
No. 325, *for* " Count Bergeyh " *read* " Count Bergeyck."
No. 346, *for* " Philip Lloyd " *read* " Sir Philip Lloyd."
No. 352 is probably 1678 and should follow No. 768.
Page 151, *for* " John Wilham " *read* " John Witham."
Page 165, *for* " Farlow " *read* " Barlow."
No. 463, *for* " Geo. Comp " *read* " Leonard."
No. 680, *for* " Houghton " *read* " Stoughton."
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No. 1305, line 2, *for* " 1679 " *read* " 1680."
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THE CHRONICLES AND MEMORIALS OF GREAT BRITAIN AND IRELAND DURING THE MIDDLE AGES.

[ROYAL 8vo. *Price* 10*s.* each Volume or Part.]

On 25 July 1822, the House of Commons presented an address to the Crown, stating that the editions of the works of our ancient historians were inconvenient and defective; that many of their writings still remained in manuscript, and, in some cases, in a single copy only. They added, "that an uniform and convenient edition of the whole, published "under His Majesty's royal sanction, would be an undertaking honour- "able to His Majesty's reign, and conducive to the advancement of "historical and constitutional knowledge; that the House therefore "humbly besought His Majesty, that He would be graciously pleased to "give such directions as His Majesty, in His wisdom, might think fit, "for the publication of a complete edition of the ancient historians "of this realm."

The Master of the Rolls, being very desirous that effect should be given to the resolution of the House of Commons, submitted to Her Majesty's Treasury in 1857 a plan for the publication of the ancient chronicles and memorials of the United Kingdom, and it was adopted accordingly.

Of the Chronicles and Memorials, the following volumes have been published. They embrace the period from the earliest time of British history down to the end of the reign of Henry VII.

1. THE CHRONICLE OF ENGLAND, by JOHN CAPGRAVE. *Edited by* the Rev. F. C. HINGESTON, M.A. 1858.

   Capgrave's Chronicle extends from the creation of the world to the year 1417. As a record of the language spoken in Norfolk (being written in English), it is of considerable value.

2. CHRONICON MONASTERII DE ABINGDON. Vols. I. and II. *Edited by* the Rev. JOSEPH STEVENSON, M.A., Vicar of Leighton Buzzard. 1858.

   This Chronicle traces the history of the monastery from its foundation by King Ina of Wessex, to the reign of Richard I. The author had access to the title deeds of the house, and incorporates into his history various charters of the Saxon kings, of great importance as illustrating not only the history of the locality but that of the kingdom.

3. LIVES OF EDWARD THE CONFESSOR. I.—La Estoire de Seint Aedward le Rei. II.—Vita Beati Edvardi Regis et Confessoris. III.—Vita Æduuardi Regis qui apud Westmonasterium requiescit. *Edited by* HENRY RICHARDS LUARD, M.A., Fellow and Assistant Tutor of Trinity College, Cambridge. 1858.

   The first is a poem in Norman French, probably written in 1245. The second is an anonymous poem, written between 1440 and 1450, which is mainly valuable as a specimen of the Latin poetry of the time. The third, also by an anonymous author, was apparently written between 1066 and 1074.

4. MONUMENTA FRANCISCANA. Vol. I.—Thomas de Eccleston de Adventu Fratrum Minorum in Angliam. Adæ de Marisco Epistolæ. Registrum Fratrum Minorum Londoniæ. *Edited by* J. S. BREWER, M.A., Professor of English Literature, King's College, London. Vol. II.—De Adventu Minorum; re-edited, with additions. Chronicle of the Grey Friars. The ancient English version of the Rule of St. Francis. Abbreviatio Statutorum, 1451, &c. *Edited by* RICHARD HOWLETT, Barrister-at-Law. 1858, 1882.

   The first volume contains original materials for the history of the settlement of the order of St. Francis in England, the letters of Adam de Marisco, and other papers. The second volume contains materials found since the first volume was published.

5. Fasciculi Zizaniorum Magistri Johannis Wyclif cum Tritico. As to Thomas Netter, of Walden, Provincial of the Carmelite in England, and Confessor to King Henry the Fifth. *Edited* Rev. W. W. Shirley, M.A., Tutor and late Fellow of Wa College, Oxford. 1858.

This work gives the only contemporaneous account of the rise of the Lollards.

6. The Buik of the Croniclis of Scotland; or, A Metrical Version History of Hector Boece; by William Stewart. Vols. I., II III. *Edited by* W. B. Turnbull, Barrister-at-Law. 1858.

This is a metrical translation of a Latin Prose Chronicle, written in the first ha 16th century. The narrative begins with the earliest legends and ends with the James I. of Scotland, and the "evil ending of the traitors that slew him." The pecu of the Scottish dialect are well illustrated in this version.

7. Johannis Capgrave Liber de Illustribus Henricis. *Edited* Rev. F. C. Hingeston, M.A. 1858.

The first part relates only to the history of the Empire from the election of the Fowler, to the end of the reign of the Emperor Henry VI. The second part is to English history, from the accession of Henry I. in 1100, to 1446, which was the fourth year of the reign of Henry VI. The third part contains the lives of illustri who have borne the name of Henry in various parts of the world.

8. Historia Monasterii S. Augustini Cantuariensis, by Thom Elmham, formerly Monk and Treasurer of that Foundation. *by* Charles Hardwick, M.A., Fellow of St. Catharine's Hal Christian Advocate in the University of Cambridge. 1858.

This history extends from the arrival of St. Augustine in Kent until 1191.

9. Eulogium (Historiarum sive Temporis): Chronicon ab Orbe c usque ad Annum Domini 1366; a monacho quodam Malmesb exaratum. Vols. I., II., and III. *Edited by* F. S. Haydon 1858–1863.

This is a Latin Chronicle extending from the Creation to the latter part of the Edward III., and written by a monk of Malmesbury, about the year 1367. A cont carries the history of England down to the year 1413.

10. Memorials of Henry the Seventh: Bernardi Andreæ Tholosat Regis Henrici Septimi; necnon alia quædam ad eundem spectantia. *Edited by* James Gairdner. 1858.

The contents of this volume are—(1) a life of Henry VII., by his poet Lau historiographer, Bernard André, of Toulouse, with some compositions in verse, of is supposed to have been the author; (2) the journals of Roger Machado durin embassies to Spain and Brittany, the first of which had reference to the marria King's son, Arthur, with Catharine of Arragon; (3) two curious reports by envo Spain in 1505 touching the succession to the Crown of Castile, and a project of between Henry VII. and the Queen of Naples; and (4) an account of Philip of reception in England in 1506. Other documents of interest are given in an append

11. Memorials of Henry the Fifth. I.—Vita Henrici Quinti, Redmanno auctore. II.—Versus Rhythmici in laudem Regis Quinti. III.—Elmhami Liber Metricus de Henrico V. *Ed* Charles A. Cole. 1858.

12. Munimenta Gildhallæ Londoniensis; Liber Albus, Liber marum, et Liber Horn, in archivis Gildhallæ asservati. Liber Albus. Vol. II. (in Two Parts). Liber Custumarum. Vo Translation of the Anglo-Norman Passages in Liber Albus saries, Appendices, and Index. *Edited by* Henry Thomas M.A., Barrister-at-Law. 1859–1862.

The *Liber Albus*, compiled by John Carpenter, Common Clerk of the City of L the year 1419, gives an account of the laws, regulations, and institutions of that C 12th, 13th, 14th, and early part of the 15th centuries. The *Liber Custumarum* piled in the early part of the 14th century during the reign of Edward II. It also account of the laws, regulations, and institutions of the City of London in the and early part of the 14th centuries.

13. Chronica Johannis de Oxenedes. *Edited by* Sir Henry Ell 1859.

Although this Chronicle tells of the arrival of Hengist and Horsa, it substantia with the reign of King Alfred, and comes down to 1292. It is particularly va notices of events in the eastern portions of the Kingdom.

14. A Collection of Political Poems and Songs relating to English History, from the Accession of Edward III. to the Reign of Henry VIII. Vols. I. and II. *Edited by* Thomas Wright, M.A. 1859–1861.

15. The "Opus Tertium," "Opus Minus," &c. of Roger Bacon. *Edited by* J. S. Brewer, M.A., Professor of English Literature, King's College, London. 1859.

16. Bartholomæi de Cotton, Monachi Norwicensis, Historia Anglicana; 449–1298; necnon ejusdem Liber de Achiepiscopis et Episcopis Angliæ. *Edited by* Henry Richards Luard, M.A., Fellow and Assistant Tutor of Trinity College, Cambridge, 1859.

17. Brut y Tywysogion; or, The Chronicle of the Princes of Wales. *Edited by* the Rev. John Williams ab Ithel, M.A. 1860.

This work, written in the ancient Welsh language, begins with the abdication and death of Caedwala at Rome, in the year 681, and continues the history down to the subjugation of Wales by Edward I., about the year 1282.

18. A Collection of Royal and Historical Letters during the Reign of Henry IV. 1399–1404. *Edited by* the Rev. F. C. Hingeston, M.A., of Exeter College, Oxford. 1860.

19. The Repressor of over much Blaming of the Clergy. By Reginald Pecock, sometime Bishop of Chichester. Vols. I. and II. *Edited by* the Rev. Churchill Babington, B.D., Fellow of St. John's College, Cambridge. 1860.

The "Repressor" may be considered the earliest piece of good theological disquisition of which our English prose literature can boast. The author was born about the end of the fourteenth century, consecrated Bishop of St. Asaph in the year 1444, and translated to the see of Chichester in 1450. His work is interesting chiefly because it gives a full account of the views of the Lollards, and it has great value for the philologist.

20. Annales Cambriæ. *Edited by* the Rev. John Williams ab Ithel, M.A. 1860.

These annals, which are in Latin, commenced in 447, and come down to 1288. The earlier portion appears to be taken from an Irish Chronicle used by Tigernach, and by the compiler of the Annals of Ulster.

21. The Works of Giraldus Cambrensis. Vols. I.–IV. *Edited by* the Rev. J. S. Brewer, M.A., Professor of English Literature, King's College, London. Vols. V.–VII. *Edited by* the Rev. James F. Dimock, M.A., Rector of Barnburgh, Yorkshire. Vol. VIII. *Edited by* George F. Warner, M.A., of the Department of MSS., British Museum. 1861–1891.

These volumes contain the historical works of Gerald du Barry, who lived in the reigns of Henry II., Richard I., and John. His works are of a very miscellaneous nature, both in prose and verse, and are remarkable for the anecdotes which they contain.

The *Topographia Hibernica* (in Vol. V.) is the result of Giraldus' two visits to Ireland the first in 1183, the second in 1185-6, when he accompanied Prince John into that country. The *Expugnatio Hibernica* was written about 1188, and may be regarded rather as a great epic than a sober relation of acts occurring in his own days. Vol. VI. contains the *Itinerarium Kambriæ et Descriptio Kambriæ*; and Vol. VII., the lives of S. Remigius and S. Hugh. Vol. VIII. contains the Treatise *De Principum Institutione*, and an Index to Vols. I.–IV. and VIII.

22. Letters and Papers illustrative of the Wars of the English in France during the Reign of Henry the Sixth, King of England. Vol. I., and Vol. II. (in Two Parts). *Edited by* the Rev. Joseph Stevenson, M.A., Vicar of Leighton Buzzard. 1861–1864.

23. The Anglo-Saxon Chronicle, according to the several Original Authorities. Vol. I., Original Texts. Vol. II., Translation. *Edited and translated by* Benjamin Thorpe, Member of the Royal Academy of Sciences at Munich, and of the Society of Netherlandish Literature at Leyden. 1861.

There are at present six independent manuscripts of the Saxon Chronicle, ending in different years, and written in different parts of the country. In this edition, the text of each manuscript is printed in columns on the same page, so that the student may see at a glance the various changes which occur in orthography.

24. LETTERS AND PAPERS ILLUSTRATIVE OF THE REIGNS OF RICHARD III. AN HENRY VII. Vols. I. and II. *Edited by* JAMES GAIRDNER. 1861 1863.

The principal contents of the volumes are some diplomatic Papers of Richard II correspondence between Henry VII. and Ferdinand and Isabella of Spain; documen relating to Edmund de la Pole, Earl of Suffolk; and a portion of the correspondence James IV. of Scotland.

25. LETTERS OF BISHOP GROSSETESTE. *Edited by* the Rev. HENRY RICHARD LUARD, M.A., Fellow and Assistant Tutor of Trinity College, Cam bridge. 1861.

The letters of Robert Grosseteste range in date from about 1210 to 1253, and relate various matters connected not only with the political history of England during the rei of Henry III., but with its ecclesiastical condition. They refer especially to the diocese Lincoln, of which Grosseteste was bishop.

26. DESCRIPTIVE CATALOGUE OF MANUSCRIPTS RELATING TO THE HISTORY GREAT BRITAIN AND IRELAND. Vol. I. (in Two Parts); Anterior to th Norman Invasion. (*Out of Print*). Vol. II.; 1066–1200. Vol. III 1200–1327. *By* Sir THOMAS DUFFUS HARDY, D.C.L., Deputy Keep of the Records. 1862–1871.

The object of this work is to publish notices of all known sources of British histo both printed and unprinted, in one continued sequence. The materials, when historical distinguished from biographical), are arranged under the year in which the latest event recorded in the chronicle or history, and not under the period in which its author, real supposed, flourished. Biographies are enumerated under the year in which the per commemorated died, and not under the year in which the life was written. A br analysis of each work has been added when deserving it, in which original portions distinguished from mere compilations. A biographical sketch of the author of each pi has been added, and a brief notice of such British authors as have written on histori subjects.

27. ROYAL AND OTHER HISTORICAL LETTERS ILLUSTRATIVE OF THE REIGN HENRY III. Vol. I., 1216–1235. Vol. II., 1236–1272. *Selected a edited by* the Rev. W. W. SHIRLEY, D.D., Regius Professor of Eccle astical History, and Canon of Christ Church, Oxford. 1862–1866.

28. CHRONICA MONASTERII S. ALBANI.—1. THOMÆ WALSINGHAM HISTOR ANGLICANA; Vol. I., 1272–1381: Vol. II., 1381–1422. 2. WILLEL RISHANGER CHRONICA ET ANNALES, 1259-1307. 3. JOHANNIS TROKELOWE ET HENRICI DE BLANEFORDE CHRONICA ET ANNALES 1259–12 1307–1324; 1392–1406. 4. GESTA ABBATUM MONASTERII S. ALBANI THOMA WALSINGHAM, REGNANTE RICARDO SECUNDO, EJUSDEM ECCLE PRÆCENTORE, COMPILATA; Vol. I., 793–1290: Vol. II., 1290–13 Vol. III., 1349–1411. 5. JOHANNIS AMUNDESHAM, MONACHI MONASTE S. ALBANI, UT VIDETUR, ANNALES; Vols. I. and II. 6. REGIS QUORUNDAM ABBATUM MONASTERII S. ALBANI, QUI SÆCULO XV^mo^ FLORUE Vol. I., REGISTRUM ABBATIÆ JOHANNIS WHETHAMSTEDE, ABBATIS MON TERII SANCTI ALBANI, ITERUM SUSCEPTÆ; ROBERTO BLAKENEY, CAPELLA QUONDAM ADSCRIPTUM; Vol. II., REGISTRA JOHANNIS WHETHAMSTE WILLELMI ALBON, ET WILLELMI WALINGFORDE, ABBATUM MONASTI SANCTI ALBANI, CUM APPENDICE, CONTINENTE QUASDAM EPISTOLAS JOHANNE WHETHAMSTEDE CONSCRIPTAS. 7. YPODIGMA NEUSTRIÆ THOMA WALSINGHAM, QUONDAM MONACHO MONASTERII S. ALBA CONSCRIPTUM. *Edited by* HENRY THOMAS RILEY, M.A., Barrister-at-L 1863–1876.

In the first two volumes is a History of England, from the death of Henry III. t death of Henry V., by Thomas Walsingham, Precentor of St. Albans.

In the 3rd volume is a Chronicle of English History, attributed to William Rishan who lived in the reign of Edward I.: an account of transactions attending the awa the kingdom of Scotland to John Balliol, 1291–1292, also attributed to William Rishan but on no sufficient ground: a short Chronicle of English History, 1292 to 1300, b unknown hand: a short Chronicle Willelmi Rishanger Gesta Edwardi Primi, Regis An with Annales Regum Angliæ, probably by the same hand: and fragments of Chronicles of English History, 1285 to 1307.

In the 4th volume is a Chronicle of English History, 1259 to 1296: Annals of Edwar 1307 to 1323, by John de Trokelowe, a monk of St. Albans, and a continuation of T lowe's Annals, 1323, 1324, by Henry de Blaneforde: a full Chronicle of English History to 1406; and an account of the Benefactors of St. Albans, written in the early part o 15th century.

The 5th, 6th, and 7th volumes contain a history of the Abbots of St. Albans, 1 1411, mainly compiled by Thomas Walsingham: with a Continuation.

The 8th and 9th volumes, in continuation of the Annals, contain a Chronicle, pro by John Amundesham, a monk of St. Albans.

The 10th and 11th volumes relate especially to the acts and proceedings of Abbots Whethamstede, Albon, and Wallingford.

The 12th volume contains a compendious History of England to the reign of Henry V., and of Normandy in early times, also by Thomas Walsingham, and dedicated to Henry V.

29. Chronicon Abbatiæ Eveshamensis, Auctoribus Dominico Priore Eveshamiæ et Thoma de Marleberge Abbate, a Fundatione ad Annum 1213, una cum Continuatione ad Annum 1418. *Edited by* the Rev. W. D. Macray, Bodleian Library, Oxford. 1863.

The Chronicle of Evesham illustrates the history of that important monastery from about 690 to 1418. Its chief feature is an autobiography, which makes us acquainted with the inner daily life of a great abbey. Interspersed are many notices of general, personal, and local history.

30. Ricardi de Cirencestria Speculum Historiale de Gestis Regum Angliæ. Vol. I., 447–871. Vol. II., 872–1066. *Edited by* John E. B. Mayor, M.A., Fellow of St. John's College, Cambridge. 1863–1869.

Richard of Cirencester's history, in four books, extends from 447 to 1066. It gives many charters in favour of Westminster Abbey, and a very full account of the lives and miracles of the saints, especially of Edward the Confessor, whose reign occupies the fourth book. A treatise on the Coronation, by William of Sudbury, a monk of Westminster, fills book ii. c. 3.

31. Year Books of the Reign of Edward the First. Years 20–21, 21–22, 30–31, 32–33, and 33–35 Edw. I; and 11–12 Edw. III. *Edited and translated by* Alfred John Horwood, Barrister-at-Law. Years 12–13, 13–14, 14, 14–15, and 15, Edward III. *Edited and translated by* Luke Owen Pike, M.A., Barrister-at-Law. 1863–1891.

The "Year Books" are the earliest of our Law Reports. They contain matter not only of practical utility to lawyers in the present day, but also illustrative of almost every branch of history, while for certain philological purposes they hold a position absolutely unique.

32. Narratives of the Expulsion of the English from Normandy, 1449–1450.—Robertus Blondelli de Reductione Normanniæ; Le Recouvrement de Normendie, par Berry, Hérault du Roy: Conferences between the Ambassadors of France and England. *Edited by* the Rev. Joseph Stevenson, M.A. 1863.

33. Historia et Cartularium Monasterii S. Petri Gloucestriæ. Vols. I., II., and III. *Edited by* W. H. Hart, F.S.A., Membre correspondant de la Société des Antiquaires de Normandie. 1863–1867.

34. Alexandri Neckam de Naturis Rerum libri duo; with Neckam's Poem, De Laudibus Divinæ Sapientiæ. *Edited by* Thomas Wright, M.A. 1863.

In the *De Naturis Rerum* are to be found what may be called the rudiments of many sciences mixed up with much error and ignorance. Neckam had his own views in morals, and in giving us a glimpse of them, as well as of his other opinions, he throws much light upon the manners, customs, and general tone of thought prevalent in the twelfth century.

35. Leechdoms, Wortcunning, and Starcraft of Early England; being a Collection of Documents illustrating the History of Science in this Country before the Norman Conquest. Vols. I., II., and III. *Collected and edited by* the Rev. T. Oswald Cockayne, M.A. 1864–1866.

36. Annales Monastici. Vol. I.:—Annales de Margan, 1066–1232; Annales de Theokesberia, 1066–1263; Annales de Burton, 1004–1263. Vol. II.:—Annales Monasterii de Wintonia, 519–1277; Annales Monasterii de Waverleia, 1–1291. Vol. III.:—Annales Prioratus de Dunstaplia, 1–1297. Annales Monasterii de Bermundesceia, 1042–1432. Vol. IV.:—Annales Monasterii de Oseneia, 1016–1347; Chronicon vulgo dictum Chronicon Thomæ Wykes, 1066–1289; Annales Prioratus de Wigornia, 1–1377. Vol. V.:—Index and Glossary. *Edited by* Henry Richards Luard, M.A., Fellow and Assistant Tutor of Trinity College, and Registrary of the University, Cambridge. 1864–1869.

The present collection embraces chronicles compiled in religious houses in England during the thirteenth century. These distinct works are ten in number. The extreme period which they embrace ranges from the year 1 to 1432.

37. MAGNA VITA S. HUGONIS EPISCOPI LINCOLNIENSIS. *Edited by* the R
JAMES F. DIMOCK, M.A., Rector of Barnburgh, Yorkshire. 1864.

This work is valuable, not only as a biography of a celebrated ecclesiastic but as
work of a man, who, from personal knowledge, gives notices of passing events, as well a
individuals who were then taking active part in public affairs.

38. CHRONICLES AND MEMORIALS OF THE REIGN OF RICHARD THE FI
Vol. I.:—ITINERARIUM PEREGRINORUM ET GESTA REGIS RICARDI. V
II.:—EPISTOLÆ CANTUARIENSES; the Letters of the Prior and Conv
of Christ Church, Canterbury; 1187 to 1199. *Edited by* the R
WILLIAM STUBBS, M.A., Vicar of Navestock, Essex, and Lamb
Librarian. 1864–1865.

The authorship of the Chronicle in Vol. I., hitherto ascribed to Geoffrey Vinesa
now more correctly ascribed to Richard, Canon of the Holy Trinity of London.
In letters in Vol. II., written between 1187 and 1199, had their origin in a dispute w
arose from the attempts of Baldwin and Hubert, archbishops of Canterbury, to fou
college of secular canons, a project which gave great umbrage to the monks of Canterbu

39. RECUEIL DES CRONIQUES ET ANCHIENNES ISTORIES DE LA GRANT BRETA
A PRESENT NOMME ENGLETERRE, par JEHAN DE WAURIN. Vol. I. Alb
to 688. Vol. II., 1399–1422. Vol. III., 1422–1431. *Edited by* WILL
HARDY, F.S.A. 1864–1879. Vol. IV., 1431–1447. Vol. V., 1447–1
Edited by Sir WILLIAM HARDY, F.S.A., and EDWARD L. C. P. HA
F.S.A. 1884–1891.

40. A COLLECTION OF THE CHRONICLES AND ANCIENT HISTORIES OF G
BRITAIN, NOW CALLED ENGLAND, by JOHN DE WAURIN. Vol. I., All
to 668. Vol. II., 1399–1422. Vol. III., 1422–1431. (Translation
the preceding Vols. I., II., and III.) *Edited and translated by*
WILLIAM HARDY, F.S.A., and EDWARD L. C. P. HARDY, F.S.A. 1
1891.

41. POLYCHRONICON RANULPHI HIGDEN, with Trevisa's Translation. Vol
and II. *Edited by* CHURCHILL BABINGTON, B.D., Senior Fellow o
John's College, Cambridge Vols. III.–IX. *Edited by* the Rev. Jo
RAWSON LUMBY, D.D., Norrisian Professor of Divinity, Vicar o
Edward's, Fellow of St. Catharine's College, and late Fello
Magdalene College, Cambridge. 1865–1886.

This chronicle begins with the creation, and is brought down to the re
Edward III. It enables us to form a very fair estimate of the knowledge of histor
geography which well-informed readers of the fourteenth and fifteenth centuries pos
for it was then the standard work on general history.
The two English translations, which are printed with the original Latin, affo
teresting illustrations of the gradual change of our language, for one was made
fourteenth century, the other in the fifteenth.

42. LE LIVERE DE REIS DE BRITTANIE E LE LIVERE DE REIS DE ENGLE
Edited by the Rev. JOHN GLOVER, M.A., Vicar of Brading, Is
Wight, formerly Librarian of Trinity College, Cambridge. 1865

These two treaties are valuable as careful abstracts of previous historians.
various readings are given which are interesting to the philologist as instances o
Saxonised French.

43. CHRONICA MONASTERII DE MELSA AB ANNO 1150 USQUE AD ANNUM
Vols. I., II., and III. *Edited by* EDWARD AUGUSTUS BOND, Assi
Keeper of Manuscripts, and Egerton Librarian, British Mus
1866–1868.

The Abbey of Meaux was a Cistercian house, and the work of its abbot is a faith
often minute record of the establishment of a religious community, of its progress i
ing an ample revenue, of its struggles to maintain its acquisitions, and of its relat
the governing institutions of the country.

44. MATTHÆ PARISIENSIS HISTORIA ANGLORUM, SIVE, UT VULGO DICITUR
TORIA MINOR. Vols. I., II., and III. 1067–1253. *Edited b*
FREDERICK MADDEN, K.H., Keeper of the Manuscript Depar
of British Museum. 1866–1869.

45. LIBER MONASTERII DE HYDA: A CHRONICLE AND CHARTULARY OF
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The "Book of Hyde" is a compilation from much earlier sources which are
indicated with considerable care and precision. In many cases, however, the

Chronicler appears to correct, to qualify, or to amplify the statements, which, in substance, he adopts.

There is to be found, in the "Book of Hyde," much information relating to the reign of King Alfred which is not known to exist elsewhere. The volume contains some curious specimens of Anglo-Saxon and mediæval English.

46. CHRONICON SCOTORUM: A CHRONICLE OF IRISH AFFAIRS, from the earliest times to 1135; and SUPPLEMENT, containing the Events from 1141 to 1150. *Edited, with Translation, by* WILLIAM MAUNSELL HENNESSY, M.R.I.A. 1866.

47. THE CHRONICLE OF PIERRE DE LANGTOFT, IN FRENCH VERSE, FROM THE EARLIEST PERIOD TO THE DEATH OF EDWARD I. Vols. I. and II. *Edited by* THOMAS WRIGHT, M.A. 1866–1868.

It is probable that Pierre de Langtoft was a canon of Bridlington, in Yorkshire, and lived in the reign of Edward I., and during a portion of the reign of Edward II. This chronicle is divided into three parts; in the first, is an abridgment of Geoffrey of Monmouth's "Historia Britonum;" in the second, a history of the Anglo-Saxon and Norman kings, to the death of Henry III.; in the third, a history of the reign of Edward I. The language is a curious specimen of the French of Yorkshire.

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